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[Document No. 2.]

IN THE ASSEMBLY.]

[SESSION OF 1855.

ANNUAL REPORT

OF THE

STATE CONTROLLER.

B. B. REDDING, STATE PRINTER.

1857
1858

ANNUAL REPORT OF STATE CONTROLLER.

CONTROLLER'S OFFICE,
Sacramento, Dec. 15, 1854. }

To his Excellency, JOHN BIGLER,
Governor of California:

SIR—

IN compliance with an "Act concerning the Office of Controller," passed January 19, 1850, I have the honor herewith to submit a report on the fiscal condition of the State for the year ending June 30, 1854.

The various items are set forth under the following heads:

I. General Statement of the Receipts and Expenditures of the State during the past Fiscal Year.

II. Exhibit of Receipts and Expenditures for the first, second, third, fourth and fifth Fiscal Years.

III. Tabular Statement of the amount of each appropriation made by law; the amount audited under the same; and the balance unexpended, June 30, 1854.

IV. Tabular Statement showing the amount of taxable property assessed in each County, together with State Tax thereon.

V. General Abstract of real and personal property assessed in each County since the organization of the State Government.

VI. Statement of the condition of the several Funds, June 30, 1854.

VII. Statement of Public Debt, in detail.

VIII. Condensed Statement of the Civil Debt, June 30, 1854.

IX. War Debt, June 30, 1854

X. Estimate of Receipts and Expenditures for the Sixth Fiscal Year.

XI. Statement of Receipts and Expenditures from July 1, to December 1854, inclusive.

XII. Civil Debt, December 20, 1854.

XIII. War Debt, December 20, 1854.

XIV. General Remarks.

STATEMENT

Of Receipts into the State Treasury during the Fifth Fiscal Year, ending June 30th, 1854.

RECEIVED FROM		Property Tax of 1851 and 1852	Property Tax of 1853	Full Tax of 1854	Full Tax of 1855	Full Tax of 1856	Acetate Duties	Fine for Meters' License	Merchants' License	Bakers' License	Gaming License	Auction License	Tavern Keepers' License	Fiddlers' License	Restauranteurs' License	Liquor License	Express License	Theater License	Billiard and Bowling Allys License	Passenger Claims	Forfeited Recaptulations	Excluded Estates	Fees and Commissions from Notaries of State	State Property in Bonds	State Property in the City of San Francisco	Amount received from Pay of Members of Legislature for State Library	Commutative Tax	Consigned Goods	Excise of Deceased Persons	Fines for Violation of License Laws	TOTALS			
Alameda County		\$11,071 00	\$850 41	..	..	..	..	\$2,347 52	\$11 64	..	\$25 48	..	\$247 35	\$16 50	\$38 20	..	..	..	..	\$282 80	\$13 66	..	..	..	..	..	..	..	..	..	..	Alameda County	\$12,816 97	
Butte		\$665 00	2,055 08	..	..	..	..	..	111 53	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Butte	7,347 48	
Calaveras		410 79	8,961 04	\$102 24	2,858 61	..	\$6 50	20,543 07	..	..	2,184 61	..	..	..	..	..	..	..	..	782 35	26 40	..	..	..	..	..	..	..	..	..	..	Calaveras	53,765 71	
Contra Costa		..	8,201 71	..	102 27	..	38 80	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Contra Costa	8,481 49	
Colusa		1,214 59	2,122 18	15 52	310 66	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Colusa	2,562 95	
El Dorado		110 91	8,282 61	60 09	12,692 94	..	286 56	28,958 09	1,412 62	\$24 28	5,245 53	\$873 04	1,464 70	1,484 10	..	..	3,382 05	..	..	1,255 85	21 82	..	..	..	..	..	..	..	..	..	..	El Dorado	88,566 04	
Humboldt		..	2,494 45	..	694 86	..	13 02	..	..	..	67 90	..	..	19 40	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Humboldt	3,645 63	
Klamath		..	1,000 00	..	100 00	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Klamath	1,100 00	
Los Angeles		587 62	12,629 45	53 08	721 61	..	44 07	..	939 78	..	..	..	..	330 98	..	..	..	..	..	..	..	..	\$1,014 79	..	..	..	..	..	..	..	..	Los Angeles	17,051 07	
Mariposa		..	5,166 67	..	2,000 00	..	..	7,192 56	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Mariposa	14,389 23	
Martin		Martin	Nothing	
Monterey		61 40	7,056 28	..	752 54	..	..	..	14 07	..	432 86	109 63	62 65	38 80	..	..	189 15	..	..	145 50	21 82	..	..	..	..	..	..	..	..	..	..	Monterey	9,607 00	
Nevada		..	8,365 31	..	737 86	..	..	9,688 76	..	..	549 99	..	..	..	..	..	..	..	..	289 06	..	..	..	..	..	..	..	..	..	..	..	..	Nevada	14,680 98
Napa		..	6,284 73	402 67	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Napa	6,697 60
Placer		..	4,441 41	..	5,642 07	..	..	11,036 63	1,008 80	..	1,818 64	..	1,523 05	106 70	38 80	1,360 00	..	..	..	1,150 05	43 65	..	..	..	..	..	..	..	..	..	..	..	Placer	28,302 73
San Bernardino		..	1,166 94	..	293 62	..	..	..	..	..	..	970 06	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	San Bernardino	1,328 48
San Francisco		6,904 77	168,888 71	3,664 92	..	27,768 11	..	..	..	1,665 97	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	San Francisco	201,874 39
San Diego		..	1,827 66	..	68 59	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	San Diego	1,897 69
San Luis Obispo		..	1,624 71	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	San Luis Obispo	1,693 59
San Joaquin		..	17,914 91	..	1,606 21	..	548 67	136 40	19 41	..	1,070 66	..	..	..	..	..	..	..	..	800 25	135 24	174 60	..	..	..	..	..	..	..	..	..	..	San Joaquin	22,532 46
Santa Clara		1,700 00	11,416 60	..	1,816 83	..	..	215 34	331 02	..	..	..	..	77 20	..	..	..	..	..	..	29 10	60 92	..	..	..	..	..	..	..	..	..	..	Santa Clara	16,187 07
Santa Barbara		..	5,207 71	..	327 86	..	..	..	..	..	78 39	..	..	..	..	..	..	..	..	..	159 87	..	..	..	..	..	..	..	..	..	..	..	Santa Barbara	5,835 64
Santa Cruz		1,744 89	4,001 76	756 86	325 62	..	..	..	12 06	24 26	..	..	..	67 50	..	..	..	..	..	..	58 20	..	..	..	..	..	..	..	..	..	..	..	Santa Cruz	7,288 40
Sacramento		1,277 81	29,855 67	..	..	..	..	2,773 55	..	..	..	572 72	..	..	116 40	..	..	..	..	..	87 29	..	..	..	..	..	..	..	..	..	..	..	Sacramento	84,704 95
Sutter		1,008 12	2,600 59	..	248 23	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Sutter	3,885 84
Solano		38 80	10,776 61	..	500 21	..	..	..	208 23	..	..	7 78	..	..	48 50	..	..	..	..	..	7 28	..	..	..	..	..	..	..	..	..	..	..	Solano	11,585 90
Sonoma		..	11,367 61	..	1,769 85	..	..	..	..	..	116 40	18 82	..	..	19 40	..	..	..	..	167 81	..	..	..	..	..	..	..	..	..	..	..	..	Sonoma	13,479 90
Siskiyou		..	1,007 50	..	48 50	..	48 50	385 09	..	32 82	993 04	..	..	..	291 00	..	266 76	..	..	295 65	7 28	..	..	..	..	..	..	..	..	..	..	..	Siskiyou	3,327 83
Sierra		1,615 52	8,590 06	1,422 60	1,965 10	..	41 94	5,986 68	..	45 59	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Sierra	14,544 83
Shasta		..	6,129 23	..	..	..	..	2,328 00	..	4 37	362 91	..	..	..	116 40	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Shasta	8,518 46
Tulare		..	275 51	..	125 34	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Tulare	1,012 62
Tuolumne		..	3,205 01	..	..	..	..	1,600 00	604 60	..	500 00	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Tuolumne	5,360 51
Trinity		..	1,434 51	5 16	1,354 82	..	..	2,745 92	..	..	767 46	..	77 60	..	58 20	..	29 10	..	..	101 85	58 20	..	..	..	..	..	..	..	..	..	..	..	Trinity	6,935 82
Yuba		203 66	15,266 51	..	1,402 10	64 02	..	4,440 84	261 90	194 00	180 91	1,050 63	..	..	19 40	..	..	194 00	..	426 80	..	..	..	..	..	..	..	..	..	..	..	..	Yuba	23,804 55
Yolo		..	3,579 06	..	491 00	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Yolo	4,970 00
Controller of State		Controller of State	268 00
Secretary of State		Secretary of State	2,504 20
Pacific Mail Steamship Co.		Pacific Mail Steamship Co.	12,500 00
Board of Cal. Land Com'rs		Board of Cal. Land Com'rs	294,362 70
City of San Francisco		City of San Francisco	53,685 50
Commissioner of Emigrants		Commissioner of Emigrants	31,058 00
Estate of W. W. Scott, dec'd		Estate of W. W. Scott, dec'd	4,240 31
" Geo. Brock, do.		" Geo. Brock, do.	89 69
Totals																																		

EXPENDITURES

For the Fifth Fiscal Year, ending June 30, 1854.

EXECUTIVE DEPARTMENT.

SALARIES.

Salary of Governor.....	\$10,000 00	
“ Comptroller of State.....	6,541 63	
“ Treasurer of State.....	7,125 00	
“ Secretary of State.....	6,552 78	
“ Attorney-General.....	5,500 02	
“ Surveyor-General.....	5,298 40	
“ Adjutant-General.....	279 60	
“ Quarter-Master-General.....	1,999 93	
“ Superintendent of Public Instruction.....	4,500 00	
“ Land Commissioners.....	16,749 96	
Total.....		\$64,547 32

SECRETARIES AND CLERKS.

Salary of Governor's Private Secretary.....	2,023 23	
“ Secretary to Land Commission.....	3,743 16	
“ Clerks in Comptroller's Office.....	9,672 40	
“ Clerks in Treasurer's Office.....	7,506 00	
“ Clerks in Secretary of State's Office.....	6,494 00	
Total.....		29,438 79

CONTINGENT EXPENSES.

Governor's Contingent Fund.....	4,401 75	
Contingents of Governor's Office.....	1,708 95	
“ Comptroller's Office.....	5,244 90	
“ Treasurer's Office.....	3,292 65	
“ Secretary of State's Office.....	3,980 63	
“ Attorney-General's Office.....	3,540 25	
“ Surveyor-General's Office.....	549 55	
“ Quarter-Master-General's Office.....	2,670 15	
“ Superintendent of Public Instruction's Office.....	805 80	
“ Board of Land Commissioners.....	4,929 75	
Total.....		31,124 38

JUDICIAL DEPARTMENT.

SALARIES.

Salaries of Justices of Supreme Court.....	\$32,333	29
“ District Judges.....	52,873	52
“ District Attorneys.....	1,916	64
Total.....		\$88,123 45

CONTINGENTS.

Contingents of the Supreme Court.....	5,186 15
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LEGISLATIVE DEPARTMENT.

Pay and Mileage of Lieut. Governor.....	1,744	00
“ “ Senators.....	63,976	60
“ “ Assemblymen.....	144,724	80
Total.....		210,445 40

OFFICERS AND CLERKS.

Of the Senate.....	27,130	00
“ Assembly.....	37,501	00
Total.....		64,631 00

CONTINGENTS.

Of the Legislature.....	32,636 38
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EXPENDED FOR HOSPITAL PURPOSES.

To State Marine Hospital.....	76,696	70
“ Stockton do.	46,645	40
“ Sacramento do.	16,250	15
“ Insane Asylum.....	80,874	19
“ Indigent Sick of El Dorado County.....	596	62
“ “ San Francisco County.....	1,614	82
“ “ Sacramento do.	684	57
“ “ San Joaquin do.	224	63
“ “ Shasta do.	180	90
“ “ San Diego do.	130	93
“ “ Sierra do.	264	00
“ “ Trinity do.	95	00
“ “ Yuba do.	1,196	00
Total.....		\$225,453 91

EXPENDED FOR PRINTING.

Printing for the Legislature.....	\$42,007	29
“ Laws and Journals of 1853	13,133	63
“ Foreign Miners’ Licenses.....	5,110	00
“ Codified Laws.....	6,000	00
“ Poll-Tax Receipts.....	9,905	00
“ Census Returns in Spanish.....	4,000	00
“ Governor’s Proclamations.....	5,830	00
“ Blanks for Governor	372	00
“ “ • Controller.....	1,259	00
“ “ Treasurer.....	597	50
“ “ Secretary of State.....	1,965	50
“ “ Superintendent Public Instruction.....	1,367	29
“ “ Board of Land Commissioners....	11,370	25
“ Notice of Escheated Estates.....	114	00
“ Law concerning Foreign Miners.....	500	00
“ Proposals to Erect State Prison.....	116	00
“ Paper for Public Printing.....	3,963	25
Total.....		\$107,610 71

MISCELLANEOUS EXPENSES.

Paid for erection of State Prison.....	135,000	00
“ transportation of Prisoners.....	25,402	00
“ Attorney’s services in prosecutions for violation of the Revenue Law.....	25,433	00
“ keeping and guarding Prisoners.....	11,901	00
Paid Examining Committee for examining books and papers in offices of Treasurer and Controller of State.....	9,090	00
Paid for Northern Boundary Survey.....	1,475	68
“ taking the Census of 1850.....	3,569	50
“ distributing Laws and Journals of 1853.....	1,675	00
“ transportation of Insane.....	440	80
“ securing State Arms.....	292	50
“ State Library.....	2,150	20
“ Attorneys’ services employed by Board of California Land Commissioners.....	3,000	00
“ Clerk to Examining Committee.....	1,912	00
Paid Harry Love and Rangers.....	9,450	00
“ Harry Love for capturing Joaquin.....	1,000	00
“ Jas. Langley for arranging Archives.....	150	00
“ H. L. Langley for indexing and Appendixing Journals....	5,044	00
“ “ “ Laws of 1853.....	2,200	00
“ Cook, Kenny & Co., books for Auditor of San Francisco County.....	1,900	00
“ George Estell for work done on State House.....	150	00
“ E. R. Anthony for express charges in distributing Laws....	130	89
“ G. K. Fitch as witness before Examining Committee.....	32	00
“ J. M. Shepherd for computing Printing Accounts.....	176	00

Paid Wm. C. Kibbe for storage on State Arms.....	\$74 00
" W. E. P. Hartnell for translating Laws of 1853.....	2,623 30
" Thomas A. Brown for fees as Clerk of Contra Costa County	60 00
" R. B. Ironside for bearing requisition from Governor.....	1,521 75
" Amos Stick for collecting License in Sacramento County...	310 00
" Richard Harrison for taking care of Public Buildings.....	150 00
" J. C. Gulick for express charges on Niles' Register.....	472 25
" A. D. Patterson for fees as Sheriff of Sacramento County...	58 50
" H. Griffith for fees as Clerk of Yolo County.....	159 70
" Samuel Purdy as State Prison Commissioner.....	500 00
" J. W. Denver do. do.	443 33
" Richard Roman do. do.	340 00
" John Flint for examining Printing Accounts.....	150 00
" J. W. Scott do. do.	150 00
" J. B. Devoe do. do.	150 00
" Paul Shirley for fees as Sheriff of Solano County.....	34 00
" Samuel Purdy for examining and signing Journals of 1853..	64 00
" N. A. H. Ball for conveying a block of marble for Washing- ton Monument to San Francisco.....	30 00
" R. B. Buchanan for services in collecting Foreign Miners' License in 1850.....	2,614 00
" W. H. Lanckenau for computing Index and Appendix to Journals of 1853.....	75 00
" R. F. Fishborne for engraving State Prison Bonds.....	1,200 00
" Charles Sackett for fees in Justices' Court.....	103 50
" J. B. Mitchell do. do.	342 25
" G. W. Chesley do. do.	181 00
" Charles Ecker for surveying the boundary between San Fran- cisco and Santa Clara Counties.....	744 00
" Wm. M. Eddy for expenses attending the same.....	70 00
" J. R. McConnell for collections under Act of March 3, 1852	500 00
" J. B. Devoe for paper for printing Spanish Laws.....	16 50
" Infant Heirs of W. W. Scott, deceased.....	4,240 31
" Joseph Vaughn for fees as Clerk of Solano County.....	17 50
" Melvin & Ames for furniture for Capitol.....	8,000 00
" Henry Haskell for fees as Clerk of Superior Court, San Fran- cisco.....	76 50
" Leland & McCombe, express charges.....	25 00
" Charles S. Compton for excess paid for Water Lots.....	18 86
" John McDougall, amount erroneously expended from Contin- gent Fund of Governor.....	2,460 71
" J. B. Trask to complete Geological Survey.....	5,000 00
" J. McMahon, relief appropriation.....	150 00
" Geo. O. Doherty, do. do.	225 00
" Wm. Coates, do. do.	600 00
" M. G. Upton, do. do.	225 00
" Francis Sanchez, do. do.	39 00
" Wm. N. Walton, do. do.	100 00
" D. D. Colton, do. do.	1,723 00
" Eugene Casserly, do. do.	380 18
" H. P. Hepburn, do. do.	4,800 00
" Wm. Buchanan, do. do.	230 00
" H. S. Jackson, do. do.	187 75
" Jas. Brawley, do. do.	330 00
" Orrin Bailey, do. do.	120 00

Paid Henry Vandevere, relief appropriat'n.....	\$60 00
" John T. Lee, do. do.	16 50
" John Cole, do. do.	24 00
" A. Miramontez, do. do.	43 50
" Wm. Corbit, do. do.	120 00
" Wm. Lampsman, do. do.	6 50
" Ramon de Zaldo, do. do.	20 00
" T. G. Fitzgerald, do. do.	40 00
" Thomas Hayes, do. do.	73 50
" Harry Love, do. do.	5,000 00
" John Boling, do. do.	1,180 50
" Cornelius Cole, do. do.	1,641 00
" H. Wohlgamuth, do. do.	340 75
" H. Gomez Mauriz, do. do.	1,350 00
Expended for School purposes upon Warrants of the Superintendent of Public Instruction.....	51,983 76
Grand Total.....	<u>1,204,757 96</u>

RECAPITULATION OF EXPENDITURES.

Executive Department.....	125,110 49
Judicial do.	93,309 60
Legislative do.	307,712 78
Hospital purposes.....	225,453 91
Miscellaneous Expenses.....	345,560 47
Printing.....	107,610 71
Total.....	<u>\$1,204,757 96</u>

EXHIBIT

Of Receipts into the State Treasury during the First, Second, Third, Fourth and Fifth Fiscal Years.

RECEIVED FROM		First Fiscal Year, Ending June 30, 1850.	Second Fiscal Year, Ending June 30, 1851.	Third Fiscal Year, Ending June 30, 1852.	Fourth Fiscal Year, Ending June 30, 1853.	Fifth Fiscal Year, Ending June 30, 1854.	TOTAL.
Alameda County,					\$15,816 97	\$15,816 97
Butte " "		\$512 43	\$3,064 75	\$6,651 42	7,347 48	17,576 08
Calaveras " "			3,173 93	10,670 96	35,765 71	49,610 60
Contra Costa County,		9,854 57	9,690 04	9,819 68	8,481 49	37,845 78
Colusi " "			1,754 09	1,164 76	3,662 95	6,581 80
El Dorado " "		1,200 00	8,643 93	27,635 52	65,666 02	102,545 47
Humboldt " "					3,645 63	3,645 63
Klamath " "					1,100 00	1,100 00
Los Angeles " "		10,087 02	10,593 32	549 62	1,649 62	47,035 94
Mariposa " "		858 53		9,354 53	17,051 07	21,309 04
Marin " "		4,553 50	4,402 03	6,091 28	14,359 23	12,253 91
Monterey " "		16,818 79	9,135 61	3,298 38	9,607 00	41,382 95
Nevada " "			8,310 41	5,821 55	14,630 98	38,764 87
Napa " "		4,149 92	4,790 70	3,326 47	6,697 60	18,964 69
Placer " "			8,041 61	26,798 85	28,302 73	63,143 29
San Bernardino " "					1,528 46	1,528 46
San Francisco " "		132,359 29	100,544 54	127,681 79	204,874 39	565,400 01
San Diego " "			3,910 50	598 91	1,827 60	6,337 01
San Luis Obispo " "		2,667 74	2,245 65	1,353 13	7,959 82	61,040 98
San Joaquin " "		9,198 30	13,389 97	16,120 25	22,332 46	56,884 29
Santa Clara " "		22,790 07	16,873 26	2,038 89	15,197 07	17,992 11
Santa Barbara " "		5,086 87	3,621 26	3,430 34	5,853 64	20,286 29
Santa Cruz " "		4,948 36	7,903 23	146 30	7,288 40	159,714 30
Sacramento " "		42,092 29	64,939 70	17,977 36	34,704 95	12,454 44
Sutter " "		4,772 38	1,000 00	2,795 12	3,886 94	35,584 43
Solano " "		9,580 99	6,897 35	7,522 19	11,583 90	32,408 52
Sonoma " "		4,772 43	4,800 00	9,356 19	13,479 90	8,329 28
Siskiyou " "				5,001 45	3,327 83	14,544 83
Sierra " "					8,318 46	16,112 17
Shasta " "			5,185 56	2,608 15	1,012 62	1,012 62
Tulare " "						

EXHIBIT

Of Expenditures for the First, Second, Third, Fourth and Fifth Fiscal Years.

EXPENSES OF	First Fiscal Year, Ending June 30, 1850.	Second Fiscal Year, Ending June 30, 1851.	Third Fiscal Year, Ending June 30, 1852.	Fourth Fiscal Year, Ending June 30, 1853.	Fifth Fiscal Year, Ending June 30, 1854.	TOTAL.
Executive Department,.....	\$26,568 30	\$103,354 84	\$94,886 20	\$102,607 04	\$125,110 49	\$452,526 87
Judicial "	26,996 50	98,054 25	155,532 76	126,697 09	98,309 60	500,590 20
Legislative "	215,806 94	212,924 48	306,780 25	312,301 61	307,712 78	1,355,526 06
Printing,	74,073 25	100,933 51	159,845 77	202,494 39	107,610 71	644,957 63
Hospital Purposes,		8,387 30	90,939 75	210,306 42	225,453 91	535,087 38
Miscellaneous,	4,720 27	62,048 45	117,709 83	314,742 58	345,560 47	844,781 60
	\$318,165 26	\$585,702 83	\$925,694 56	\$1,269,149 13	\$1,204,757 96	\$4,333,469 74

[E] TABULAR STATEMENT

Of the Amount of each Appropriation made by Law, the Amount Audited under the same and the balance unexpended at the close of the Fifth Fiscal Year ending June 30, A. D. 1854.

TITLE OF ACT.	Amount of Appropriations.	Amount of Warrants drawn.	Amount Unexpended.	Amount Overdrawn.
Act Appropriating Money to defray the Expenses of the Government of this State; passed May 11, 1853.....	\$300,000 00	\$421,828 29		\$121,828 29
Act Authorizing the Controller of State to audit the Account of the Board of Trustees of the Stockton Hospital; passed April 14, 1853. Balance for building.	15,000 00	15,000 00		
Act to establish an Asylum for the Insane of the State of California; passed May 17, 1853. Appropriation for building.....	50,000 00	32,729 20	\$17,270 80	
Act for the erection of an additional Building; passed May 15, 1854.....	80,000 00		80,000 00	
Act to establish the present Hospitals and to provide for liquidating the Indebtedness of the same; passed April 17, 1853—				
Unlimited appropriation, Stockton Hospital.....		31,645 40		
Unlimited appropriation, Sacramento Hospital.....		16,250 15		
Act to establish an Asylum for the Insane of the State of California; passed May 17, 1853—				
Unlimited appropriation for support and maintenance.....		4,906 89		
Act for the relief of the Insane Asylum; passed Feb. 1, 1854...	15,000 00	15,000 00		
General Appropriation Act; passed March 21, 1854. Appropriation for support and maintenance of the Insane Asylum and Salaries of Physicians.....	58,000 00	24,060 61	33,949 39	
Act to provide for the establishment of the State Marine Hospital at San Francisco and to provide for the Indigent Sick of the State; passed May 19, 1853.				
Balance Appropriation for State Marine Hospital.....	93,896 12	54,131 89	39,764 23	
Balance Appropriation for Indigent Sick.....		4,987 47		
Act providing for the erection of a State Prison; passed May 7, 1853.....	135,000 00	135,000 00		

TABULAR STATEMENT—CONTINUED.

TITLE OF ACT.	Amount of Appropriations.	Amount of Warrants drawn.	Amount Unexpended.	Amount Overdrawn.
General Appropriation Act; passed March 21, 1854—				
For State Marine Hospital.....	\$100,000 00	26,742 30	\$73,257 70	
“ Salary of Governor.....	10,000 00	3,333 32	6,666 68	
“ “ Controller of State...	4,500 00	1,500 00	3,000 00	
“ “ Treasurer of State...	4,500 00	1,500 00	3,000 00	
“ “ Secretary “	3,500 00	875 00	2,625 00	
“ “ Sup't of Pub. Instr'n.	4,500 00	1,500 00	3,000 00	
“ “ Surveyor-General...	2,000 00	633 32	1,366 68	
“ “ Attorney-General...	2,000 00	666 66	1,333 34	
“ “ Quarter-Master-Gen'l.	2,000 00	666 64	1,333 36	
“ “ Justices of S. Court...	28,000 00	9,999 96	18,000 04	
“ “ Land Commissioners.	19,000 00	7,916 64	11,083 36	
“ “ District Judges.....	59,500 00	14,846 33	44,653 67	
“ “ Gov's Private Sec'y.	2,500 00	823 23	1,676 77	
“ “ Cl'ks in Comp's Office	9,720 00	3,510 00	6,210 00	
“ “ “ Treas's “	6,480 00	2,160 00	4,320 00	
“ “ “ Sec. of State's “	6,480 00	2,340 00	4,140 00	
“ extra clerk hire “ “ “	3,000 00	284 00	2,716 00	
“ Contingents of Gov's Office..	1,500 00	518 19	981 81	
“ Spec'l Contingent Fund of Gov.	5,000 00	3,081 75	1,918 25	
“ Contin's of Controller's Office.	2,000 00	1,097 73	902 27	
“ “ Treasurer's “	2,000 00	1,713 97	286 03	
“ “ Sec. of State's “	2,000 00	927 13	1,072 87	
“ “ Attorney-Gen's “	1,200 00	1,200 00		
“ “ Surveyor-Gen's “	1,000 00	402 25	597 75	
“ “ Q. M. General's “	1,000 00	392 65	607 35	
“ “ S. of Pub. Inst'n's “	1,000 00	791 29	208 71	
“ “ Land Com'r's “	6,000 00	6,000 00		
“ “ Supreme Court ...	2,500 00	1,635 00	865 00	
“ Office rent for Land Com'r's...	2,100 00	300 00	1,800 00	
“ Public Printing.....	20,000 00	19,100 00	900 00	
“ Paper for same.....	5,000 00	1,803 25	3,196 75	
“ Translating Laws.....	4,000 00	264 50	3,735 50	
“ Transportation of Prisoners...	25,000 00	11,007 00	13,993 00	
“ Northern Boundary Survey...	3,500 00	1,475 68	2,024 32	
“ Distributing Laws and Journ's.	1,000 00	65 00	935 00	
“ Rep'ng and clean'g State Arms	500 00	292 50	207 50	
“ Codified Laws.....	6,000 00	6,000 00		
“ Articles furnished Legislature.	6,000 00	5,864 00	136 00	
“ Postage of Legislature.....	5,000 00	5,000 00		
“ Pay and Mileage of Lieut. Gov.	2,000 00	1,744 00	256 00	
“ “ “ Senators...	45,000 00	45,482 00		482 00
“ “ “ Assembly'n	110,000 00	103,605 00	6,395 00	
“ Assembly Contingent Fund...	12,000 00	11,991 63	8 37	
“ Senate “	7,500 00	7,500 00		
“ Officers and Clerks of Senate..	25,000 00	22,017 00	2,983 00	
“ “ “ Assembly	30,000 00	30,489 00		489 00
“ Relief of F. Sanchez Act May 7, 1853.....	39 00	39 00		
For relief of J. Brawley, Act May 5, 1853.....	330 00	330 00		
For relief of Orrin Bailey, Act May 7, 1853.....	120 00	120 00		
For relief of Henry Vandevere, Act May 7, 1853.....	60 00	60 00		

TABULAR STATEMENT—CONTINUED.

TITLE OF ACT.	Amount of Appropriations.	Amount of Warrants drawn.	Amount Unexpended.	Amount Overdrawn.
For relief of J. T. Lee, Act May 7, 1853.....	16 50	16 50		
For relief of John Cole, Act May 7, 1853.....	24 00	24 00		
For relief of A. Miramontez, Act May 7, 1853.....	43 50	43 50		
For relief of Wm. Corbit, Act May 7, 1853.....	120 00	120 00		
For relief of Wm. Lampman, Act May 7, 1853.....	6 50	6 50		
For relief of Ramon de Zaldo, May 7, 1853.....	20 00	20 00		
For relief of T. G. Fitzgerald, Act May 7, 1853.....	40 00	40 00		
For relief of Thomas Hayes, Act May 7, 1853.....	73 50	73 50		
For relief of McMahon, Act May 29, 1854.....	150 00	150 00		
For relief of Geo. O. Doherty, Act April 4, 1854.....	225 00	225 00		
For relief of W. G. Upton, Act April 4, 1854.....	225 00	225 00		
For relief of Wm. Coates, Act April 4, 1854.....	600 00	600 00		
For relief of Wm. N. Walton, Act April 13, 1854.....	100 00	100 00		
For relief of D. D. Colton, Act April 28, 1854.....	1,723 00	1,723 00		
For relief of Eugene Casserly....	380 18	380 18		
“ “ H. P. Hepburn, Act April 13, 1854.....	4,800 00	4,800 00		
For relief of Wm. Buchanan, Act May 15, 1854.....	230 00	230 00		
For relief of H. S. Jackson, Act May 15, 1854.....	187 75	187 75		
For relief of Harry Love, Act May 15, 1854.....	5,000 00	5,000 00		
For relief of John Boling, Act May 15, 1854.....	1,180 50	1,180 50		
For relief of Cornelius Cole, Act May 15, 1854.....	1,641 00	1,641 00		
For relief of H. Wohlgamuth, Act May, 15, 1854.....	340 75	340 75		
For relief of H. Gomez Mauriz, Act May 15, 1854.....	1,350 00	1,350 00		
Appropriation to enable J. B. Trask to complete his Geological Examinations; passed May 15, 1854.....	5,000 00	5,000 00		
Act providing fund for State Libra- ry; passed May 1, 1852.....	2,150 20	2,150 20		
Total amount of Expenditures.		\$1,152,774 20		

ABSTRACT

Of Property of all kinds Assessed for the year 1854, and the amount of State Tax due thereon.

COUNTIES.	No. Acres of Land.	Value of same.	Value of Improvements thereon.	Value of City and Town Lots.	Value of Improvements thereon.	Value of Personal Property.	Total value of Property.	State Tax thereon at 60 c. on \$1 00.
Alameda.....	233,235	\$2,134,478	\$485,768	\$389,359	\$258,500	\$1,115,074	\$4,383,179	\$26,298 91
Anador.....	17,443	83,725	412,857	59,445		482,416	1,038,443	6,230 65
Butte.....							1,895,526	11,373 15
Calaveras.....								
Contra Costa.....	179,473	896,083	243,255	38,305	67,569	1,084,872	2,330,084	13,980 46
Colsi.....	201,754	516,923	76,740	10,487	31,915	869,113	1,505,178	9,031 07
El Dorado.....							3,278,324	19,669 94
Humboldt.....				10,700	312,400	503,019	826,119	4,956 71
Klamath.....		52,931				340,287	393,218	2,353 69
Los Angeles.....	1,167,821	644,979	397,008	74,390	386,700	2,155,963	3,659,040	21,954 24
Mariposa.....							1,676,583	10,059 54
Marin.....								
Monterey.....	607,394	559,220	105,260	42,895	169,570	886,842	1,763,787	10,582 72
Nevada.....							1,750,810	10,504 86
Napa.....	215,255	530,364	138,530	13,515	45,660	676,137	1,404,206	8,425 24
Placer.....							1,551,757	9,310 54
Plumas.....	17,511	55,710				255,293	311,003	1,866 00
San Bernardino.....	162,262	45,481	15,036			244,715	305,232	1,831 38
San Francisco.....	110,021	760,098	273,550	19,765,285	9,159,935	5,837,607	35,796,475	214,778 85
San Diego.....								
San Luis Obispo.....	328,674	167,638	24,500	5,477	9,586	309,240	516,441	3,098 65
San Joaquin.....	83,120	198,445	52,869	889,409	724,708	2,309,277	4,174,708	25,048 21
Santa Clara.....	329,237	3,237,183	650,770	261,178	445,365	1,987,566	6,582,062	39,492 36

Santa Barbara.....	489,900	244,050	24,500	18,445	104,655	560,415	952,065	5,712	39
Santa Cruz.....	136,780	842,667	172,115			456,096	1,470,878	8,825	26
Sacramento.....		380,500	550,725	3,581,800	1,272,990	2,989,951	8,775,966	52,655	79
Sutter.....	124,008						1,243,148	7,613	90
Solano.....	159,652	874,556	122,480	343,741	528,665	2,711,026	4,580,468	27,482	80
Sonoma.....	345,402	1,745,242	420,877	66,419	143,958	1,722,134	4,098,630	24,591	17
Siskiyou.....			297,943			828,820	1,126,763	6,760	57
Sierra.....			150,135	37,030	152,065	602,492	1,389,042	8,334	25
Shasta.....	64,869	122,640				487,433	1,064,362	6,386	17
Stanislaus.....	31,220	90,540		3,000	14,000	176,137	577,973	3,467	00
Tulare.....			595,690		104,627	1,524,254	193,137	1,158	82
Tuolumne.....		239,415	79,750		85,500	311,805	2,463,986	14,783	90
Trinity.....		239,806	560,453	1,539,034	734,200	1,872,024	477,055	2,862	33
Yuba.....	95,210	575,671	302,985			1,111,920	4,945,517	29,673	10
Yolo.....							1,990,576	11,943	43
Total.....	5,100,241	\$15,238,345	\$6,153,796	\$27,149,914	\$14,752,568	\$34,411,928	\$110,491,741	\$663,098	05

STATEMENT

Showing a General Abstract of Assessments of Real and Personal Property from the organization of the State Government to the present year.

COUNTIES.	1850.	1851.	1852.	1853.	1854.
Alameda.....				\$3,472,837	\$4,383,179
Amador.....					1,038,443
Butte.....	\$268,294	\$533,952	\$853,955	2,024,142	1,895,526
Calaveras.....	266,078		808,450	2,129,966	
Contra Costa.....	2,002,410	1,753,648	3,236,198	1,995,192	2,330,084
Colusa.....		367,661	966,840	1,470,131	1,505,178
El Dorado.....	572,410	697,651	1,831,801	3,660,369	3,278,324
Humboldt.....					826,119
Klamath.....		19,770	65,370	299,984	393,218
Los Angeles.....	1,931,403	2,187,992	2,256,125	3,193,487	3,659,040
Mariposa.....		160,435	1,216,557	1,681,422	1,676,583
Marin.....	1,006,893	756,375	932,192		
Monterey.....	3,631,213	1,638,308	1,546,920	1,607,168	1,763,787
Nevada.....		686,080	956,925		1,750,810
Napa.....	918,164	803,140	1,289,048	1,527,902	1,404,206
Placer.....		304,192	1,365,985	1,196,975	1,551,757
Plumas.....					311,003
San Bernardino.....				304,086	305,232
San Francisco.....	21,621,184	17,794,711	18,481,737	32,377,893	35,796,475
San Diego.....	396,810	820,811	424,637		
San Luis Obispo.....	577,618	460,530	512,324	421,750	516,441
San Joaquin.....	1,821,489	1,715,189	2,813,404	4,943,891	4,174,708

Santa Clara.....	4,883,295	2,934,183	3,292,153	4,428,976	6,582,062
Santa Barbara.....	992,676	821,000	989,686	1,136,654	952,065
Santa Cruz.....		1,184,821	1,095,094	1,085,400	1,470,878
Sacramento.....	8,947,454	6,331,024	7,232,026	8,252,920	8,775,966
Stanislaus.....					577,973
Sutter.....	1,292,618	741,732	617,894	755,304	1,243,148
Solano.....	2,709,246	1,178,756	2,896,795	3,851,048	4,580,468
Sonoma.....	1,187,672	1,627,572	1,657,091	2,880,309	4,098,630
Siskiyou.....			478,988	917,190	1,126,763
Sierra.....			657,976	777,784	1,389,042
Shasta.....		497,025	645,545	968,584	1,064,362
Tulare.....				199,914	193,137
Tuolumne.....		504,927	1,620,911	2,374,861	2,463,986
Trinity.....		215,812	233,873	526,615	477,055
Yuba.....	2,374,060	1,894,412	2,289,906	3,695,267	4,945,517
Yolo.....	269,702	599,343	1,321,969	1,177,625	1,990,576
Total.....	\$57,670,589	\$49,231,052	\$64,588,375	\$95,335,646	\$110,491,741

[II]

STATEMENT

Of the condition of the several Funds, June 30, 1854.

Dr.	GENERAL FUND.		Cr.
Expended, Fifth Fiscal Year.....	\$420,203 09	Balance, June 30, 1853.....	\$31,067 41
Balance in Fund, June 30, 1854.....	9,513 27	Received, Fifth Fiscal Year.....	398,648 95
	<u>\$429,716 36</u>		<u>\$429,716 36</u>
Dr.	INTEREST FUND OF 1851.		Cr.
Expended, Fifth Fiscal Year.....	\$122,575 45	Balance, June 30, 1853.....	\$23,535 04
Balance, June 30, 1854.....	2,137 74	Received, Fifth Fiscal Year.....	101,178 15
	<u>\$124,713 19</u>		<u>\$124,713 19</u>

STATE PRISON INTEREST FUND.		Cr.
Dr.		
Expend, Fifth Fiscal Year.....	\$24,587 72	
Balance in Fund, June 30, 1854.....	1,777 96	\$203 03
	<u>\$26,365 68</u>	26,162 65
		<u>\$26,365 68</u>
INTEREST FUND OF 1852.		Cr.
Dr.		
Balance overdrawn, June 30, 1853.....	\$11,198 47	
Expend, Fifth Fiscal Year.....	74,559 32	
Transferred to School Fund.....	29,951 56	
Balance in Fund, June 30, 1854.....	16,194 58	
	<u>\$131,903 93</u>	\$131,903 93
SCHOOL FUND.		Cr.
Dr.		
Expend, Fifth Fiscal Year.....	\$51,983 76	
Balance in Fund, June 30, 1854.....	1,527 35	\$21,713 13
	<u>\$53,511 11</u>	29,951 56
		1,846 42
		<u>\$53,511 11</u>

Balance, June 30, 1853..... \$203 03
 Received, Fifth Fiscal Year..... 26,162 65

Received, Fifth Fiscal Year..... \$131,903 93

Balance, June 30, 1853..... \$21,713 13
 Transferred from Interest Fund, 1852..... 29,951 56
 Received, Fifth Fiscal Year..... 1,846 42

STATEMENT—CONTINUED.

22

STATE MARINE HOSPITAL FUND.		Cr.
Dr.		
Expended, Fifth Fiscal Year.....	\$22,440 78	
Balance in Fund, June 30, 1854.....	781 30	
	<u>\$23,222 08</u>	
		Received, Fifth Fiscal Year..... \$23,222 08
		<u>\$23,222 08</u>

SACRAMENTO HOSPITAL FUND.		Cr.
Dr.		
Expended, Fifth Fiscal Year.....	\$899 38	
	<u>\$899 38</u>	
		Received, Fifth Fiscal Year..... \$899 38
		<u>\$899 38</u>

STOCKTON HOSPITAL FUND.		Cr.
Dr.		
Expended, Fifth Fiscal Year.....	\$16,015 77	
	<u>\$16,015 77</u>	
		Balance, June 30, 1853..... \$15,566 08
		Received, Fifth Fiscal Year..... 449 69
		<u>\$16,015 77</u>

Dr.	HOSPITAL FUND.	Cr.
Expended, Fifth Fiscal Year.....	\$4,987 47	
Balance in Fund, June 30, 1854	<u>18,234 52</u>	
	\$23,221 99	
		Received, Fifth Fiscal Year.....
		<u>\$23,221 99</u>

Dr.	INSANE FUND.	Cr.
Transferred to Insane Asylum Fund.....	\$1,312 61	
	<u>\$1,312 61</u>	
		Balance, June 30, 1854
		Received, Fifth Fiscal Year.....
		<u>\$776 96</u>
		535 65
		\$1,312 61

Dr.	INSANE ASYLUM FUND.	Cr.
Expended, Fifth Fiscal Year.....	\$13,786 74	
	<u>\$13,786 74</u>	
		Amount transferred from Insane Asylum Fund.....
		Received, Fifth Fiscal Year.....
		<u>\$1,312 61</u>
		12,474 13
		\$16,783 74

STATEMENT—CONTINUED.

Dr.	STATE LIBRARY FUND.	Cr.
Expended, Fifth Fiscal Year.....	\$2,622 45	
Balance in Fund, June 30, 1854.....	249 75	
	<u>\$2,872 20</u>	
		Received, Fifth Fiscal Year..... \$2,872 20
		<u>\$2,872 20</u>

Dr.	MILITARY FUND.	Cr.
Expended, Fifth Fiscal Year.....	279 60	
	<u>\$279 60</u>	
		Received, Fifth Fiscal Year..... 279 60
		<u>\$279 60</u>

STATEMENT

Of Temporary State Loan Bonds issued under Act February 1, 1850; amount redeemed during each Fiscal Year, with Interest paid thereon, and the amount outstanding at the close of the Fifth Fiscal Year ending June 30, 1854.

TOTAL AMOUNT OF BONDS ISSUED, \$290,100.	Amount of Principal re- deemed.	Interest paid on amount redeemed.	Total Principal and interest paid in redemption.	Principal outstanding.	Interest due thereon to April 22, 1854.	Total Principal and interest out- standing June 30, 1854.
<i>First Fiscal Year,</i> Ending June 30, 1850.....	\$2,950 00	\$206 27	\$3,156 27	\$287,150 00		
<i>Second Fiscal Year,</i> Ending June 30, 1851.....	122,150 00	34,419 18	156,569 18	165,000 00		
<i>Third Fiscal Year,</i> Ending June 30, 1852.....	47,675 00	27,369 16	75,044 16	117,325 00		
<i>Fourth Fiscal Year,</i> Ending June 30, 1853.....	79,125 00	74,040 92	153,165 92	38,200 00		
<i>Fifth Fiscal Year,</i> Ending June 30, 1854.....	34,225 00	40,781 72	75,007 32	3,975 00	\$5,849 75	\$9,824 75
Total.....	\$286,125 00	\$176,817 25	\$462,942 85			

[J]

SEVEN PER CENT. CIVIL BONDS

Issued under Act of April 18, 1851.

Amount issued to June 30, 1854.....	\$458,500
Redeemed Third Fiscal Year.....	\$19,500
“ Fourth do do	34,500
“ Fifth do do	70,500
	<hr/>
Total Redemption.....	124,500
	<hr/>
Balance outstanding.....	\$334,000

SEVEN PER CENT. CIVIL BONDS

Issued under Act of May 1, 1852.

Amount issued to June 30, 1854.....	\$1,424,000
Redeemed Fifth Fiscal Year.....	29,500
	<hr/>
Balance outstanding.....	\$1,394,500

[K]

STATE PRISON BONDS

Issued under Act of May 11, 1853.

Amount issued to June 30, 1854.....	\$134,500
Redeemed Fifth Fiscal Year.....	119,500
	<hr/>
Balance outstanding.....	\$15,000

CONTROLLER'S WARRANTS

Outstanding at the close of the Fourth Fiscal Year, June 30, 1853.....	\$274,692 68
Amount issued during Fifth Fiscal Year.....	1,152,774 20
	<hr/>
	\$1,427,466 88

REDEEMED AT THE STATE TREASURY.

In Cash.....	\$301,259 85	
Taxes and State Property.....	234,154 86	
Funded under Act of 1852.....	215,442 48	
Funded State Prison Bonds.....	135,000 00	
Land Warrants.....	133,313 22	
	<hr/>	
Total Redemption.....	1,019,170 41	
Deduct Certificates of balance issued.....	2,919 14	
	<hr/>	
Net amount redeemed.....		1,016,251 27
		<hr/>
Amount Warrants and Certificates outstanding, June 30, 1854.		\$411,215 61

[L]

CONDENSED STATEMENT

Of the Civil Debt of the State, June 30, 1854.

Three per Cent. Bonds outstanding.....	\$3,975 00	
Interest due thereon.....	5,849 75	
	<hr/>	\$9,824 75
Seven per Cent. Bonds issued under Act of April 28, 1851—		
Payable in 1855.....	116,500	
“ 1861.....	217,500	
	<hr/>	334,000 00
Seven per Cent. Bonds issued under Act of May 3, 1852.....	1,394,500 00	
State Prison Bonds issued under Act of May 11, 1853.....	15,000 00	
Controller's Warrants outstanding.....	411,215 61	
Due School Fund for interest on amount received from sale of School Lands	19,104 25	
	<hr/>	2,183,644 61
Deduct cash on hand in Treasury.....	127,439 81	
	<hr/>	
Total Civil Debt proper.....	2,056,204 80	
Amount due School Fund for proceeds of School Lands.....	464,000 00	
	<hr/>	\$2,520,204 80

[M]

WAR DEBT

June 30, 1854.

Twelve per Cent. Bonds issued under Act of 1851.	\$200,000 00	
Interest due thereon.....	75,812 20	
		\$275,812 20
Seven per Cent. Bonds issued under Act of 1852.	619,165 00	
Interest due thereon.....	72,550 16	
		692,165 16
Warrants not funded.....		16,364 54
Total.....		\$984,341 90

[N]

ESTIMATE

Of Receipts and Expenditures for the Sixth Fiscal Year ending June 30, 1855.

RECEIPTS.

State Tax upon Real and Personal Property assessed for 1854 as per duplicate returned of \$114,000,000—	
At sixty cents on each \$100 valuation.....	\$684,000 00
Deducting thirty per cent. for costs of collec- tion and delinquencies, say.....	205,200 00
Leaves a net balance of.....	\$478,800
From Poll Tax.....	60,000
“ Sales of State Property by Land Commissioners.....	770,000
“ Sale of Custom House Block.....	150,000
“ Foreign Miners' License.....	150,000
“ Merchants' do.	15,000
“ Peddlers' do.	10,000
“ Auctioneers' do.	12,000
“ Tavern Keepers' do.	8,000
“ Bowling Alleys' do.	10,000
“ Billiards do.	10,000
“ Gaming do.	4,000
“ Restaurants' do.	2,000
“ Express' do.	500
“ Possessory Claims.....	500
“ Fines.....	2,000
“ Fees from Secretary of State.....	2,000
“ Auction Duties.....	25,000
“ Consigned Goods.....	20,000
“ Bankers' License.....	50,000
“ Commutation Tax.....	60,000
Total	\$1,839,800

[O]

ESTIMATED EXPENDITURES

For the Sixth Fiscal Year.

Salary of Governor.....	\$10,000 00
“ Controller of State.....	4,500 00
“ Treasurer of State.....	4,500 00
“ Secretary of State.....	3,500 00
“ Superintendent of Public Instruction.....	4,500 00
“ Attorney-General.....	2,000 00
“ Surveyor-General.....	2,000 00
“ Quarter-Master-General.....	2,000 00
“ Private Secretary to Governor.....	2,500 00
“ Clerks to Controller of State.....	9,720 00
“ “ Treasurer do.	6,480 00
“ “ Secretary do.	9,720 00
Salaries of three Justices of the Supreme Court.....	28,000 00
“ twelve District Judges (less docket fees).....	54,000 00
Pay and Mileage of Lieut. Governor.....	2,204 00
Per diem of eighty Assemblymen ninety days @ \$12.....	86,400 00
“ thirty Senators do. do.	35,640 00
Mileage of Assemblymen.....	10,000 00
“ Senators.....	3,600 00
Pay of Officers and Clerks of Senate.....	25,000 00
“ “ “ Assembly.....	30,000 00
Contingents of the Legislature.....	20,000 00
“ Supreme Court.....	4,000 00
“ Controller’s Office.....	4,000 00
“ Treasurer’s do.	4,000 00
“ Secretary of State’s Office.....	4,000 00
“ Superintendent of Public Instruction’s Office.....	1,500 00
“ Surveyor-General’s Office.....	1,000 00
“ Quarter-Master-General’s Office.....	1,000 00
“ Attorney-General’s Office.....	1,000 00
“ Governor’s Office.....	2,000 00
Governor’s Special Contingent Fund.....	5,000 00
Support of State Marine Hospital.....	100,000 00
“ Insane Asylum.....	50,000 00
Additional Buildings for Insane Asylum.....	80,600 00
Salaries of Physicians for do. do.	8,000 00
Support of the Indigent Sick.....	40,000 00
Fund for the employment of Counsel.....	5,000 00
Engraving Controller’s Warrants.....	500 00
Transportation of Prisoners.....	25,000 00
Distributing Laws and Journals.....	1,000 00
State Library.....	2,000 00
Translating Laws.....	3,000 00
Printing Laws and Journals of 1855.....	20,000 00
“ for the Legislature.....	20,000 00
“ Spanish Laws.....	2,875 00
“ Foreign Miner’s Licenses.....	4,000 00
“ Poll-Tax Receipts.....	2,000 00
“ and advertising for Governor.....	3,000 00

Printing and advertising for Controller.....	\$1,000 00
“ “ Treasurer.....	1,000 00
“ “ Secretary of State.....	1,500 00
“ “ Superintendent of Public Instruction.....	1,000 00
“ “ Contingents of California Land Commis'rs.....	10,000 00
Northern Boundary Survey.....	2,024 00
School Purposes.....	37,527 62
Total.....	<u>\$804,190 62</u>

NOTE.—In the above estimate of Expenditures, the interest accruing on our Funded Debt and the outstanding indebtedness for which there is no appropriation, are not included.

[Q]

WARRANTS

Drawn from July 1, to December 20, 1854, inclusive.

On the General Fund.....	\$245,830 84
“ Marin Hospital Fund.....	27,110 08
“ Hospital do.	19,048 62
“ Insane Asylum do.	10,310 48
“ Governor's Contingent Fund.....	531 38
“ “ Special do. do.	2,620 80
“ Library do.	348 75
“ Contingent Fund of Legislature.....	125 00
Total.....	<u>\$305,925 95</u>

[R]

CIVIL DEBT

December 20, 1854.

Three per Cent. Bonds outstanding.....	\$3,975 00
Interest due thereon.....	5,849 75
	<u>\$9,824 75</u>
Seven per Cent. Bonds issued under Act of April 28, 1851.....	294,000 00
“ “ “ “ May 3, 1852.....	1,389,500 00
State Prison Bonds.....	\$15,000 00
Interest due thereon.....	525 00
	<u>15,525 00</u>
Controller's Warrants outstanding.....	323,966 96
Due School Fund for Interest on amount received from sale of School Lands	32,465 44
	<u>2,065,282 15</u>
Deduct amount Cash in Treasury appropriated to the payment of the above Indebtedness.....	156,698 82
Total Civil Debt, proper.....	<u>1,908,583 33</u>
Add amount due School Fund for proceeds of School Lands ...	464,000 00
	<u>\$2,372,583 33</u>

STATEMENT

Of Receipts into the State Treasury from July 1, 1854, to December 20, 1854, inclusive.

RECEIVED FROM		Poll-Tax of 1853.	Poll-Tax of 1854.	Property Tax of 1853.	Property Tax of 1854.	Fuel-on Miners' Licenses.	Mechanics' Licenses.	Bakers' Licenses.	Gaming Licenses.	Foldiers' Licenses.	Liquor Licenses.	Auction Licenses.	Auction Duties.	Tavern-Keepers' Licenses.	Restaurants' Licenses.	Provisionary China.	Communion Tax.	Fees and Commissions from Sec. of State.	Fines for obstructions of Harbor.	Consigned Goods.	Circus Licenses.	Custom House Block.	Fines for violation of Forecase Laws.	Billiards and Bowling Allys.	Insurance Companies.	Bakers' Licenses.	Theaters' Licenses.	State Property in the City of San Francisco.	TOTALS.		
Alameda County.....	\$170 11		\$1,584 15						50 93	\$156 20				\$635 35	\$213 40														Alameda County.....	\$3,723 94	
Butte ".....	258 65	\$490 64	2,988 80		\$1,041 55									19 40		\$14 65							\$280 83	\$314 80					Butte ".....	5,686 56	
Calaveras ".....	250 94	116 40		\$1,910 10	7,045 20		\$412 25		849 20															145 50					Calaveras ".....	10,219 65	
Contra Costa ".....			1,282 80																					88 20					Contra Costa ".....	194 00	
Columbia ".....	602 44			6,496 83	16,030 97				881 94	1,642 80	\$1,098 30	\$58 20	\$23 17	9 70										29 10					Columbia ".....	2,010 84	
El Dorado ".....		11,716 10																						78 67					El Dorado ".....	38,185 09	
Humboldt ".....	10 65		261 10						83 25	155 15										\$48 50									Humboldt ".....	908 31	
Los Angeles ".....					4,832 85																								Los Angeles ".....	155 15	
Mariposa ".....																													Mariposa ".....	4,839 33	
Marion ".....	318 31	82 77	5,810 53											98 52		21 83													Marion ".....	6,257 06	
Monterey ".....		204 34	65 74	6,364 34																									Monterey ".....	7,861 47	
Nevada ".....	470 26	320 10	1,114 87	1,071 07	4,865 72				280 09	155 20		87 30	85 08	208 70		7 28													Nevada ".....	8,947 02	
Napa ".....			1,006 18																										Napa ".....	1,133 80	
Placer ".....		5,558 84		5,011 61	10,249 90	\$29 65				87 00			1 04		19 40	7 28													Placer ".....	23,664 95	
Plumas ".....					851 65					401 30		67 80		387 12	60 00	23 50								271 25	685 16				Plumas ".....	997 08	
San Francisco ".....	48 40					2,605 44	8,763 60				5,186 70	11,976 02									\$11,040 40	\$97 00							San Francisco ".....	36,972 02	
San Diego ".....	47 74																												San Diego ".....	47 75	
San Joaquin ".....		838 39		18,056 64		792 98	261 90	50 95				116 10				14 65													San Joaquin ".....	17,860 64	
Santa Clara ".....		1,461 71	610 75	20,501 94		865 86			162 78	1,115 80			0 60																Santa Clara ".....	25,046 98	
Santa Barbara ".....			75 20							88 27																				Santa Barbara ".....	357 47
Sacramento ".....	69 84	27 33	688 62						25 40																					Sacramento ".....	811 25
Sutter ".....			5,018 57	11,236 75	4,733 54	1,149 45	11,889 94		756 00		606 25	151 68			104 00	21 83								297 00	1,280 40			\$291 00	Sutter ".....	35,086 26	
Sonoma ".....		554 00		163 29	160 09					29 10						7 28														Sonoma ".....	359 76
Siskiyou ".....	214 65	407 40		416 88	2,160 50					556 33		112 84	891 18																Siskiyou ".....	1,665 55	
Sierra ".....		336 20								1,185 00																				Sierra ".....	6,161 55
Shasta ".....		560 66	216 64			72 75	214 85			2,906 40																				Shasta ".....	1,726 90
Tuolumne ".....		965 50	952 83							7,636 93																				Tuolumne ".....	4,976 45
Trinity ".....	359 60	608 46	162 32	1,447 62	5,211 45																									Trinity ".....	9,080 14
Yuba ".....		646 67			8,716 65	706 67	974 85		291 00		360 46	275 04																	Yuba ".....	7,417 28	
Yolo ".....																														Yolo ".....	812 05
Commissioner of Emigrants ".....	233 58																													Commissioner of Emigrants ".....	22,915 00
Secretary of State ".....																														Secretary of State ".....	852 00
United States ".....																														United States ".....	150,000 00
Board of Cal. Land Commrs. ".....																						\$160,000 00								Board of Cal. Land Commrs. ".....	176,306 93
TOTALS.....	\$3,050 06	\$23,052 41	\$21,370 80	\$71,418 58	\$70,892 77	\$6,011 19	\$17,180 23	\$1,867 26	\$5,897 27	\$1,099 50	\$6,386 30	\$12,965 79	\$2,836 91	\$661 40	\$296 79	\$22,015 00	\$82 00	\$48 50	\$11,040 40	\$97 00	\$160,000 00	\$356 83	\$9,727 79	\$291 00	\$81 00	\$291 00	\$176,306 93	Grand Total.....	\$620,432 51		

Printing

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School

NOTE.
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Add amount due SCHOOL FUND for proceeds of SCHOOL ...

\$2,372,583 33

[S]

WAR DEBT

December 20, 1854.

Twelve per Cent. Bonds issued under Act of 1851.	\$200,000 00	
Interest due thereon.....	87,145 53	
		\$287,145 53
Seven per Cent. Bonds issued under Act of 1852.	630,700 00	
Interest due thereon.....	91,731 50	
		722,431 50
Warrants not funded.....		12,768 48
Total		\$1,022,345 51

The taxable property of the State, it will be seen, is estimated at one hundred and fourteen millions of dollars, being an increase of fourteen millions in value over that of last year. This is a very fair increase, considering the assessments are liable to the imposition of a tax of sixty cents on the one hundred dollars.

It is suggested, therefore, that a reduction of thirty cents, one-half of the tax now levied, will prove beneficial to the finances of the State, by augmenting the assessed value of property, as well as lighten the burdens now imposed upon the people for the support of Government. Under the existing law, and consequent high rate of taxation, property-holders do not give to the assessors the full value of their property, shuddering at the enormous amount to be paid in taxes. True, the Board of Equalization of each county can increase the assessment roll, if property is not given in at its fair value; but it is almost unreasonable to expect such action, as experience teaches us that such power, emanating from the popular will, sympathizes with the people, and is not disposed to increase the value fixed by the owners on their assessed property, thereby imposing heavier and more onerous taxation.

FOREIGN MINERS.

The revenue derived from foreign Miners may be safely estimated to reach one hundred and fifty thousand dollars, being about three times the amount received during the fiscal year ending June 30th, 1853.

Should the policy, however, of admitting foreign labor in the mines be continued by the Legislature, it is recommended that that branch of taxation be rendered more productive by an increase of the Foreign Miners' License Tax.

STATE MARINE HOSPITAL.

The heavy expenditure attending the support of this institution, it is believed, justifies the recommendation for its abolishment. That it is of some utility is readily admitted, but its usefulness and benefits to the indigent sick of the State at large are not at all commensurate with the drain it causes upon the State Treasury. This institution has drawn the present year from the Treasury the sum of one hundred and six thousand six hundred and fifty-eight dollars and five cents, in addition to the sum of fourteen thousand two hundred and twenty dollars and fifty-five cents of the Commutation Tax, which is the proportion appropriated by law, making a total of \$120,878 60.

It is therefore suggested that, in lieu of the present expensive system, the Legislature adopt some mode by which each county shall provide for the support of its indigent sick.

STATE PRISON.

The amount retained under the act of 1853 until the completion of buildings for the State Prison, and their acceptance by the Commissioners, has been paid over to the proper persons, the Commissioners having certified to the fulfillment of the contract. It is suggested that additional necessary improvements be made at the State Prison, by which convicts may be better secured.

TRANSPORTATION OF PRISONERS.

This is a very heavy item of expenditure on the part of the State. The sum of \$25,000, appropriated by the last Legislature for this purpose, has been sometime since expended, and there remains outstanding indebtedness for such services. It is suggested that each county be compelled hereafter to defray the expenses incurred in the transportation of convicts to the State Prison.

DELINQUENCIES.

In addition to the delinquencies reported by my predecessors, I have to add the following:

Wm. A. Akenhead, late Treasurer of Santa Clara County, as a defaulter, in the sum of \$8,694 99.

In this case suit was brought against the sureties and decided adverse to the State. It has however been appealed and is now pending in the Supreme Court.

D. A. Enyart, late Treasurer of Tuolumne County, appears on the books of this office as delinquent in the sum of \$5,000.

In this case, however, suit was brought by the late Controller and by him afterwards compromised. No money has been paid into the Treasury.

H. K. Swope, late Sheriff of Tuolumne County, as a defaulter in the sum of \$6,703 43. Suit pending in this case.

Cyrus Rowe, late Treasurer of Sacramento County, as a defaulter in the sum of \$14,965 32. Suit pending.

Alexander Chisholm, late Treasurer of Yolo County, as a defaulter in the sum of \$2,600. Suit now pending.

APPROPRIATIONS.

The law of the last session of the Legislature providing for and adopting the system of specific appropriations has, in the main, worked well.

As far as the principle can be applied, it is undoubtedly the least liable to abuses, and in such items as salaries, per diem, mileage and other expenditures, that are certain and fixed by law, should not be departed from.

But there are many cases of necessary expenditure arising in the course of the year that cannot be anticipated by the Legislature, and are, therefore, under the strictly special appropriation system, wholly unprovided for, and such obligations have to remain undischarged until the action of a subsequent Legislature.

It is therefore recommended, that while the main and leading items of expenditure on the part of the State be specifically provided for, there be made an appropriation in gross of such an amount as the Legislature may deem necessary, to meet any unexpected or contingent expenses that may arise.

RECEIVING AND DISBURSING THE PUBLIC FUNDS.

Notwithstanding the repeated recommendations of my predecessors in office, for the abolishment of all laws authorizing the *receipt* or *payment* of any moneys *into* or *from* the State Treasury, except upon orders or warrants drawn by the Controller on the Treasurer, as was contemplated by the fundamental law passed January 31, 1850, the subject has hitherto failed to command the attention of the Legislature.

Esteeming it a matter of vital importance to the State, and such an one as should not be passed over without proper action on the part of the next Legislature, I shall endeavor to present it in such a manner as to show clearly the necessity of amending certain existing laws which operate in direct conflict with the one above referred to, and also for the purpose of guarding against all innovations hereafter, the effects of which are to confuse and embarrass public officers in the proper discharge of their official duties.

It is made the duty of the Controller to report, annually, to the Governor on the 15th day of December of each year, to be by him transmitted to the Legislature, a complete statement of the condition of the Revenue, the receipts and expenditures for the preceding Fiscal Year, together with a detailed statement of the Public Debt, and give all other information to either branch of the Legislature, when required, upon any subject relating to the fiscal affairs of the State. These duties imposed upon that officer, imply on his part a full knowledge of all matters concerning and connected with the State finances, and that the records of his office contain a perfect exhibit of such information.

To show how unprepared he must necessarily be to comply with the above requirements, it is proper to point out those laws which have in their operations most seriously embarrassed and in a measure disqualified him from so doing.

First, concerning the receipts into the Treasury. Section 111 of an act providing for the sale of the State's interest in certain property within the water front of the City of San Francisco, reads as follows:

"The proceeds of the State, whether in Bonds, Warrants or money, shall be paid to the Treasurer of State, whose duty it shall be to attend the sales under this act, and receive all such proceeds."

It will be seen by reference to tables marked A and P, that in this single instance or departure from the prescribed mode of receiving the public funds, (a course authorized and directed by legislative enactment,) the enormous sum of \$471,209 63, more than one-fourth part of the whole revenue, has been paid into the Treasury, without coming officially to the knowledge of the Controller, who has been compelled to have recourse to the Treasurer's books to ascertain the amount and kind of currency received.

Second, in the disbursement of the public moneys the same inconvenience and embarrassment, proceeding from the same causes, exists, as may be shown by reference to art. 4, sec. 6, of "An Act to establish a system of Common Schools," passed May 3d, 1852, which authorizes the State Treasurer to pay annually from the School Fund the amount due the several counties upon the Warrants of the Superintendent of Public Instruction.

In compliance with the provisions of the above-mentioned law, the sum of \$51,983 76, as shown by the Treasurer's books, has been expended without the

knowledge or control of the auditing officer, whose duty it is to keep an account not only with the State Treasurer, but also with the different funds; to apportion the revenue when received to the credit of each, charge them with the proper sums expended therefrom, and report their condition at the close of each fiscal year.

It is proper to state here that in neither of the cases cited did there exist any necessity for deviating from the ordinary course, and that these innovations can only be attributed to hasty legislation.

There has also been expended during the past fiscal year the sum of \$121,861 54 in payment of the interest on our Funded Debt, and \$61,394 66 in the redemption of the Civil Bonds of 1851, amounting in the aggregate to the sum of \$183,256 20; and which amounts also do not appear upon the Controller's books, from the fact that he has had no official knowledge of such expenditures, the Treasurer not being required by law to report to this officer.

In view of the above facts, it is suggested that the law concerning the sales of State property be amended in such a manner as to require the settlements to be made with the Controller, and the proceeds arising from such sales paid into the Treasury upon his order, as in other cases.

It is also further suggested, that the law concerning Common Schools be amended, so as to provide that the funds shall be drawn from the Treasury upon the Warrants of the Controller, instead of those of the Superintendent of Public Instruction.

And to secure a more perfect method of keeping and regulating the accounts between the two offices, it is earnestly recommended that the Treasurer be required to report, monthly, to the Controller the complete operations of the Treasury, specifying the amounts received, and from what sources, the amounts expended in the redemption of Bonds, Warrants, Coupons for interest, &c., and the balance on hand in the Treasury to the credit of the various funds.

Without a provision of this kind, it is impossible for the Controller to render a faithful and accurate account of the condition of the revenue of the State, as contemplated by the original law prescribing the mode of "keeping, receiving and disbursing the public funds." The evils resulting from the present system, one, at first imperfect in itself, but rendered still more so by subsequent legislation, must become apparent to any one in the least familiar with its practical operations, and it is therefore hoped that the suggestions here offered may be adopted without delay.

THE WAR DEBT.

The War Debt of the State, to the amount of \$924,259 65, has been assumed by the General Government. The War Indebtedness of the State, however, amounts to \$1,022,345 51, leaving unassumed by the General Government and standing yet against the State, the sum of \$98,085 86.

CONCLUSION.

From the operations of the past Fiscal Year, we have attesting assurances of our prosperity. The increase of revenue, the decrease of expenditures, the enhanced value of the taxable property of the State and the diminution of State indebtedness, are evidences of a healthy financial condition. The credit of the State stands unimpaired; her revenues are so increased as to give renewed confidence in her ability to discharge all her obligations; and her bonds are sought

after as safe investments. As an illustration of the faith reposed in her credit and the safety capitalists feel in the investments made in State Bonds, it is only necessary to cite the fact, that the State Treasurer has advertised for their redemption, and holders were not willing to part with such securities, even at par value.

By attention to the recommendations heretofore made, it is confidently believed that the proud position now occupied by the State, as to her credit, will be fully sustained.

I have the honor to be,

Very Respectfully,

Your ob't Serv't,

SAM. BELL,

Controller of State.

[Document No. 3.]

IN THE ASSEMBLY,

[SESSION OF 1855.]

ANNUAL REPORT

OF THE

STATE TREASURER.

B. B. REDDING, STATE PRINTER.

ANNUAL REPORT OF STATE TREASURER.

STATE TREASURY DEPARTMENT,
Sacramento, December 15, 1854. }

To his Excellency, JOHN BIGLER,
Governor of the State of California:

SIR,—

In conformity with "An Act concerning the Office of State Treasurer," approved January 24, 1850, the following Annual Report for the fiscal year ending June 30, 1854, is herewith respectfully submitted.

For information in relation to the financial operations and condition of this office during the first six months of the year above mentioned, I am indebted to the books of this Office, kept by my predecessor, Richard Roman.

With great respect,

I have the honor to be

Your obedient servant,

S. A. McMEANS,
State Treasurer

GENERAL BALANCE.

DR.

S. A. McMeans, Treasurer of State,

1854.

July 1,	To amount receipts into Treasury to date.....	\$431,532 19
"	" " " for State Property.....	191,978 90
"	" " Treasurer's Certificates of balance issued.....	6,926 40
"	" " State Prison Bonds issued.....	8,500 00
"	" " Receipts for School Land Warrants.....	731 00

 \$639,668 49

 To amount balance in Treasury, July 1..... 88,739 86

GENERAL BALANCE.

in account with the State of California.

CR.

1854.

July 1,	By amount Bonds redeemed and interest paid on Funded		
	Debt.....	\$131,900	66
"	" Certificates of balance redeemed.....	2,562	04
"	" Treasurer's receipts for State Property rec'd..	29,256	47
"	" Redemption of Warrants on School Fund....	51,983	76
"	" " Temp. State Loan Bonds.....	250	60
"	" " Warrants on General Fund...	281,989	10
"	" " " State Marine Hospi-		
	tal Fund.....	14,725	56
"	" " " Hospital Fund.....	4,169	25
"	" " " Ins. Asylum Fund..	16,613	42
"	" " " for State Prison Bonds.	8,923	00
"	" " " on State Property Fund	6,124	97
"	" " " on Military do.	279	60
"	" " " on Library do.	2,150	20
"	" of Cash in Treasury to balance.....	88,739	86
Total.....		\$639,668	49

De.

General Fund in account with

1854.

July 1, To amount paid for <i>per diem</i> of Members of the Legisla-		
	ture, Officers, Attachés, Witnesses, Contestants, Mile-	
	age, &c.....	\$106,495 74
"	amount for Governor's Salary.....	2,466 67
"	" " State Treasurer's Salary.....	1,469 00
"	" " Controller's Salary.....	1,500 00
"	" " Secretary of State's Salary.....	2,086 11
"	" " Superintendent of Public Instruction's Sal-	
	ary.....	750 00
"	" " Surveyor-General's Salary.....	2,165 08
"	" " Quarter-Master-General's Salary.....	565 98
"	" " Attorney-General's Salary.....	2,066 68
"	" " Clerks' Salaries in State Treasurer's Office..	2,466 00
"	" " " " Controller's do.	2,430 00
"	" " " " Secretary of State's do.	1,748 00
"	" " Salary of Governor's Private Secretary..	700 00
"	" " Contingents of Governor.....	4,142 25
"	" " " " State Treasurer's Office...	1,979 19
"	" " " " Controller's Office,.....	3,018 64
"	" " " " Sec. of State's do.	2,726 81
"	" " " " Sup. of Public Instruction's	
	Office.....	1,327 80
"	" " " " Surveyor-General's Office..	55 88
"	" " " " Quarter-Master-General's	
	Office,.....	314 00
"	" " " " Attorney-General's Office.	375 75
"	" " " " B'rd California Land Com-	
	missioners,.....	3,997 00
"	" " " " Northern Boundary Survey	339 50
"	" " " " Supreme Court, attendance,	
	&c.	2,101 95
"	" " Salary of Chief Justice of Supreme Court,	3,000 00
"	" " Salary of Associate Justices of Supreme	
	Court.....	3,645 86
"	" " Salaries of District Judges.....	11,171 33
"	" " Salary of do. Attorney of San Fran-	
	cisco County	1,666 64
"	" " State Printing.....	28,669 01
"	" " Salaries of State Prison Commissioners...	1,003 33
"	" " Distributing Laws and Journals.....	625 00
"	" " Indexing do. do.	6,069 00
"	" " Balance for printing Codified Laws.....	5,000 00
"	" " Advertising Census Returns in <i>San Diego</i>	
	<i>Herald</i>	1,672 50
"	" " Attorneys' Fees and Court Costs.....	18,141 04
"	" " Use of Stands in Plaza for Public Sales..	50 00
"	" " Capturing Joaquin.....	4,000 00

Amount carried forward.....	\$232,001 74
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S. A. McMeans, State Treasurer.

CR.

1854.

July 1,	By amount receipts to date (See T. S. of Receipts,).....	\$184,694 40
"	" for State Property.....	107,058 57
"	" Certificates balance issued.....	1,915 09

Amount carried forward..... \$293,668 06

Dr.

General Fund in account with

1854.

July 1,	To amount brought forward,.....	\$232,001 74
"	" for procuring marble for Washington Monument	300 00
"	" " Services rendered in behalf of the State..	500 00
"	" " Legislative Postage Act, May, 1854.....	5,000 00
"	" " Surveying Boundary between San Francisco and Santa Clara Counties,.....	814 00
"	" " Conveying persons to Insane Asylum,....	440 80
"	" " J. Boling, portion relief bill of 1854.....	480 50
"	" " Advertising in <i>Columbia Gazette</i>	951 50
"	" " Bearing requisitions of Governor.....	1,521 75
"	" " Money expended in transporting picture of Washington.....	150 00
"	" " Support and maintenance of S. M. Hospital.....	7,250 00
"	" " Support and maintenance of Insane Asylum	12,000 00
"	" " Articles furnished and work done in State House.....	8,000 00
"	" " Conveying Convicts to State Prison.....	8,278 00
"	" " Services of Astronomer and Draftsman to Surveyor-General.....	1,740 00
"	" " Signing Foreign Miners' Licenses.....	153 00
"	" " Contingents for State Officers.....	2,508 11
"	" " Certificates of balance redeemed.....	1,814 79
"	" " Temporary State Loan Bonds redeemed..	250 60
"	" " Balance of Cash in Fund.....	9,513 27
Total.....		\$293,668 06

Dr.

War Fund in account with

1854.

July 1,	To amount in Fund.....	\$11 67
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S. A. McMeans, Treasurer of State—Continued.

CR.

1854.

July 1, By amount brought forward.....	\$293,668 06
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Total... ..	\$293,668 06
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July 1, By amount balance in Fund.....	9,513 27
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S. A. McMeans, Treasurer of State.

CR.

1854.

July 1, By amount receipts to date.....	\$11 67
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July 1, By amount balance in Fund.....	11 67
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DR.

Interest Fund of 1851 in account with

1854.

January	12,	To amount for bond No. 107, \$500 @ 98 c.....	8490 00
"	25,	" " " coupon No. 5, bond No. 670.....	17 50
February	11,	" " paid Jno. Perry, Jr. for bonds	6,047 83
"	14,	" " transferred to Sinking Fund of '51.....	35,000 00
March	17,	" " " " " "	10,000 00
April	11,	" " paid Palmer, Cook & Co. to pay interest on Funded Debt.....	10,237 50
May	15,	" " transferred to Sinking Fund of '51.....	8,414 74
July	1,	" " balance in Fund.....	1,698 75
Total.....			\$71,906 32

DR.

Interest Fund of 1852 in account with

1854.

February	22,	To amount paid Jno. Y. Lind for coupon.....	\$17 50
April	11,	" " " Palmer, Cook & Co., to pay interest in New York.....	48,597 50
July	1,	" " balance in Fund.....	16,194 58
Total			\$64,809 58

DR.

State Prison Interest Fund in account with

1854.

January	13,	To amount paid for coupons.....	\$944 04
"	19,	" " " 38 " No. 1, @ 8 75.....	332 50
May	15,	" " transferred to Interest Fund of 1852.....	23,311 18
July	1,	" " balance in Fund.....	1,777 96
Total.....			\$26,365 68

S. A. McMeans, Treasurer of State.

Cr.

1854.

July 1, By amount receipts to date, (See Tab. Stat. of Receipts) . . . \$71,906 32

Total \$71,906 32

July 1, By amount balance brought down 1,698 75

S. A. McMeans, Treasurer of State.

Cr.

1854.

May 15, By amount from State Prison Interest Fund \$23,311 18

July 1, " " receipts to date, (See Tab. Stat. of Receipts) . . 41,498 40

Total \$64,809 58

July 1, By amount balance brought down 16,194 58

S. A. McMeans, Treasurer of State.

Cr.

1854.

July 1, By amount receipts to date, (See Tab. Stat. of Receipts) . . \$26,365 68

Total \$26,365 68

July 1, By amount balance brought down 1,777 96

DR.	<i>Sinking Fund of 1851 in account with</i>			
1854.				
March	15,	To amount paid John Perry, Jr.....	\$3,550	36
"	"	" " retained to pay W. C. Parker & Co's bid..	10,018	89
April	18,	" " " C. W. Raud's bid.....	28,442	40
"	22,	" " paid H.W. Carpentier, 2 bonds, Nos. 106. 108	1,000	00
"	27,	" " <i>Alta California</i> for advertising.....	32	00
June	20,	" " John Perry, Jr., for bonds and interest..	9,932	10
July	1,	" " balance in Fund.....	438	99
Total.....			\$53,414	74

DR.		<i>School Fund in account with</i>	
1854.			
Jan'y	10,	To amount paid Treasurer of Solano Co.....	\$1,739 29
"	11,	" " " " Santa Clara Co.....	7,235 89
"	12,	" " " " San Francisco Co.....	18,685 11
"	19,	" " " " San Joaquin Co.....	3,183 13
"	26,	" " " " Monterey Co.....	2,826 34
"	"	" " " " Nevada Co.....	1,075 90
"	"	" " " " San Bernardino Co.....	1,093 83
Feb'y	1,	" " " " Sierra Co.....	245 38
"	2,	" " " " Yuba Co.....	1,349 07
"	7,	" " " " Santa Barbara Co.....	1,934 40
"	8,	" " " " Butte Co.....	306 60
"	24,	" " " " Contra Costa Co.....	1,438 26
"	25,	" " " " Trinity Co.....	195 11
March	16,	" " " " Sacramento Co.....	741 43
"	22,	" " " " San Luis Obispo Co.....	1,672 40
"	23,	" " " " Mariposa Co.....	222 98
"	31,	" " " " Sonoma Co.....	551 89
April	6,	" " " " Los Angeles Co.....	4,019 32
"	13,	" " " " Humboldt Co.....	301 03
"	17,	" " " " Placer Co.....	529 59
"	27,	" " " " Calaveras Co.....	1,165 10
May	11,	" " " " Siskiyou Co.....	390 23
June	19,	" " " " Shasta Co.....	1,081 48
July	1,	" " of balance carried over.....	1,527 35
Total.....			\$53,511 11

S. A. McMeans, Treasurer of State.

CR.

1854.

February 14,	By amount from Interest Fund of 1851	\$35,000 00
March 17,	" " " " " "	10,000 00
May 15,	" " " " " "	8,414 74

Total..... \$53,414 74

July 1, By amount balance brought down..... 438 99

S. A. McMeans, Treasurer of State.

CR.

1854.

July 1, By amount of receipts to date, (See Tab. Stat. of Receipts) \$53,511 11

Total..... \$53,511 11

July 1, By amount balance in Fund brought over..... 1,527 35

DR.

State Library Fund in account with

1854.				
April 18,	To amount paid	Adams & Co.	.....	\$1,825 95
June 2,	"	"	.....	324 25
July 1,	"	balance in Fund carried over	.....	249 75
Total				\$2,399 95

DR.

Military Fund in account with

1854.				
January 10,	To amount paid	E. W. McKinstrey, No. 1,136	.....	\$279 60

DR.

Hospital Fund in account with

1854.				
Jan'y 12,	To amount paid	Treasurer San Diego Co.	.....	\$130 93
Feb'y 7,	"	" Sam'l Langdon	.....	224 63
March 16,	"	" Adams & Co., No. 1,967	.....	180 90
" 23,	"	" Treasurer San Francisco Co., No. 1,973	.....	1,614 82
April 22,	"	" Johnson Price, No. 2,972	.....	463 57
" 28,	"	" Treasurer of Yuba Co.	.....	1,196 00
June 6,	"	" Adams & Co. (for Sierra Co.)	.....	264 00
" 15,	"	" " (for Trinity Co.)	.....	95 00
July 1,	"	balance carried over	.....	18,234 52
Total				\$22,404 37

S. A. McMeans, Treasurer of State.

CR.

1854.

July 1, By amount receipts to date, (See Tab. Stat. of Receipts) . . \$2,399 95

Total \$2,399 95

July 1, By amount balance in Fund brought over 249 75

S. A. McMeans, Treasurer of State.

CR.

1854.

July 1, By amount receipts to date, (See Tab. Stat. of Receipts) . . . \$279 60

S. A. McMeans, Treasurer of State.

CR.

1854.

July 1, By amount receipts to date, (See Tab. Stat. of Receipts) . . \$22,404 37

Total \$22,404 37

July 1, By amount balance in Fund brought over 18,234 52

DR.

State Marine Hospital Fund in account with

1854.			
Jan'y	25,	To amount paid Wake Bryarly.....	\$1,000 00
Feb'y	1,	" Jas. P. Pickson.....	308 00
"	9,	" Edward McGowan, Treasurer.....	2,788 89
March	10,	" ".....	250 00
"	25,	" ".....	2,593 92
April	8,	" ".....	896 86
"	28,	" ".....	1,013 70
May	8,	" ".....	3,211 99
June	14,	" ".....	2,662 20
July	1,	" balance in Fund.....	781 30
Total.....			\$15,506 86

DR.

Insane Asylum Fund in account with

1854.			
Jan'y	12,	To amount paid W. W. Stevenson, Treasurer.....	\$1,240 20
Feb'y	3,	" J. K. Shaffer.....	1,312 61
April	8,	" W. W. Stevenson, Treasurer.....	2,439 00
May	10,	" Andrew Lester.....	3,859 73
June	14,	" John E. Lockwood.....	2,761 88
"	"	" John Perry, Jr.....	787 72
Total.....			\$12,401 14

DR.

Insane Fund in account with

1854.

Feb'y	3,	To amount transferred to Insane Asylum Fund in accordance with Act of Jan. 28, '54.....	\$1,312 61
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S. A. McMeans, Treasurer of State.

CR.

1854.

July 1, By amount receipts to date, (See Tab. Stat. of Receipts) . . \$15,506 86

Total \$15,506 86

July 1, By amount balance brought over 781 30

S. A. McMeans, Treasurer of State.

CR.

1854.

Feb'y 3, By amount transferred from Insane Fund \$1,312 61

July 1, " " receipts to date, (See Tab. Stat. of Receipts) 11,088 53

Total \$12,401 14

S. A. McMeans, Treasurer of State.

CR.

1854.

Jan'y 20, By amount receipts to date (See Tab. Stat. of Receipts). \$1,312 61

DR.

State Property Fund in account with

1854.				
Jan'y 25,	To amount paid	John S. Love.....	\$250	00
" 26,	"	Geo. O'Doherty.....	213	60
March 15,	"	Wm. P. Dangerfield.....	291	67
"	"	Geo. O'Doherty.....	250	00
"	"	John S. Love.....	250	00
"	"	Jos. Hopkins.....	250	00
" 24,	"	Geo. O'Doherty.....	250	00
April 25,	"	Levi Hermance.....	291	66
Total.....			\$2,046	93
July 1, To amount overpaid.....			238	66

DR.

Estates of Deceased Persons in account with

1854.			
July 1,	To amount balance due Estate Geo. Rock, deceased.....	\$89	02

TRIAL BALANCE.

1854.			
July 1,	To amount balance of cash, (See General Balance)	\$88,739	86
"	" overpaid State Property Fund.....	238	66

Total..... \$88,978 52

S. A. McMeans, Treasurer of State.

CR.

1854.			
Jan'y	3,	By amount received from R. Roman, late Treasurer...	\$408 10
"	10,	" " " " " "	55 50
March	14,	" " sales of State Property,.....	1,276 29
"	24,	" " cert. balance issued to O'Doherty.....	15 38
May	12,	" " received from Eugene Crowell.....	10 00
"	31,	" " " A. J. Ellis.....	42 00
June	8,	" " " S. Hydenfeldt.....	1 00
July	1,	" " overpaid.....	238 66
Total.....			\$2,046 93

S. A. McMeans, Treasurer of State.

CR.

1854.			
July 1,	By amount receipts to date.....		\$89 09
<hr/>			
	By amount balance in Treasury.....		89 09

TRIAL BALANCE.

1854.			
July 1,	By amount in General Fund.....		\$9,513 27
"	" Interest Fund of 1851.....		1,698 75
"	" " " 1852.....		16,194 58
"	" State Prison Interest Fund.....		1,777 96
"	" Sinking Fund of 1851.....		438 99
"	" Hospital Fund.....		18,234 52
"	" S. M. Hospital Fund.....		781 30
"	" School Fund.....		1,527 35
"	" State Library Fund.....		249 75
"	" War Fund.....		11 67
"	" Suspended to pay W. C. Parker & Co's bid....		10,018 89
"	" " C. W. Rand's bid.....		28,442 40
"	" Estates Deceased Persons.....		89 09
Total.....			\$88,978 52

STATEMENT

Of Receipts for State Property sold by Board of California Land Commissioners in the City of San Francisco.

1853.			
September	12,	From William Arrington.....	\$1,235 00
October	5,	" Theo. Payne.....	6,500 66
"	20,	" Chas. S. Compton.....	8,325 00
"	"	" William Arrington.....	810 00
"	"	" Rogers & Friedman.....	874 47
"	"	" Henry F. Dana.....	1,950 00
"	"	" Theo. Payne.....	3,168 34
"	"	" William Heeser.....	2,287 50
November	1,	" do. do.	915 00
"	"	" Chas. F. Compton.....	4,132 36
"	"	" Henry F. Dana.....	4,925 00
December	22,	" William Arrington.....	5,051 00
"	28,	" R. H. Sinton.....	2,748 00
"	"	" William H. Middleton.....	1,000 00
"	"	" H. Casement.....	1,500 00
"	"	" S. C. Hastings.....	1,000 00
"	"	" W. H. Talmadge.....	1,500 00
"	"	" Hyam Josephs.....	10,124 44
"	"	" S. Hydenfeldt.....	6,500 00
"	"	" Charles L. Case.....	6,250 00
"	"	" John A. Munroe.....	1,000 00
"	"	" Palmer, Cook & Co.....	23,000 90
"	"	" Hall McAlister.....	18,000 00
"	31,	" Theo. Payne.....	19,382 50
1854.			
January	13,	" D. C. Broderick.....	650 00
"	"	" Selover & Sinton.....	1,853 40
"	23,	" William Heeser.....	5,947 50
"	24,	" C. S. Compton.....	24,411 50
February	9,	" I. S. Friedman.....	5,636 32
March,	"	" M. Pollock.....	1,117 00
"	"	" A. Dewitt.....	6,370 -07
"	"	" N. O'Donnell.....	299 00
"	"	" Hall McAlister.....	1,000 41
"	"	" Beard & Hopkins.....	23,445 00
"	"	" Sharp & Brodie.....	550 00
"	"	" Palmer, Cook & Co.....	38,215 53
"	"	" W. Pobasco.....	420 00
"	"	" E. Crowell.....	1,125 00
"	"	" James Clinton.....	475 00
"	"	" W. H. Middleton.....	9,137 86
"	"	" S. Hydenfeldt.....	1,244 17
"	"	" Neefus & Co.....	1,225 00
"	"	" Ramsdell & Tharp.....	1,941 00
"	"	" Hastings & Moore.....	750 00
"	"	" J. S. Higgins.....	506 25
"	"	" S. C. Hastings.....	1,921 65
April	5,	" do. do.	43 35
"	"	" Palmer, Cook & Co.....	4 65

April	6,	From Ramsdell & Tharp.....	\$4,985 00
"	27,	" Hyam Josephs.....	785 56
May	2,	" William Arrington.....	2,033 00
"	10,	" E. Crowell.....	2,915 00
"	29,	" A. J. Ellis.....	2,700 00
June	8,	" J. W. Bowman.....	3,000 00
"	"	" J. C. Palmer.....	2,000 00
"	"	" N. O'Donnell.....	626 45
"	"	" Geo. Brown.....	412 00
"	"	" A. J. De la Tour.....	1,248 00
"	"	" S. M. Bowman.....	2,079 71
"	"	" S. Hydenfeldt.....	642 66
"	"	" Jesse Carothers.....	3,614 62
"	"	" William Arrington.....	3,956 46
"	"	" H. Casement.....	497 66
June	16,	" Wm. P. Dangerfield, Sec. of Land Commission	19,830 00
"	29,	" do. do. do. do.	7,044 50
"	"	" John Satterlee and others.....	5,318 62
Total.....			324,159 17
Less Treasurer's receipts returned....			29,256 47
			<hr/> \$294,902 70

TREASURER'S CERTIFICATES OF BALANCE ISSUED.

1854.			
January	19, No. 514,	To Washington & Geiger.....	\$383 00
"	21, 115,	Louis Bartlett.....	140 00
"	23, 16,	William Heeser.....	5 33
"	25, 17,	H. Griffith.....	6 00
"	" 18,	E. A. Stevenson.....	114 00
"	" 19,	Jesse Sawyer.....	60 00
"	26, 520,	Geo. O'Doherty.....	36 40
"	28, 21,	George H. Blake.....	28 00
February	3, 22,	James W. Denver.....	65 78
"	8, 23,	Seneca Ewer.....	114 00
"	" 24,	J. P. Dickson.....	174 00
"	10, 25,	Rogers & Friedman.....	10 79
March	24, 26,	Geo. O'Doherty.....	15 38
April	1, 27,	J. Hunt.....	6 00
"	5, 28,	P. V. Bovee.....	10 00
"	6, 29,	J. M. Estill.....	423 00
"	18, 530,	Adams & Co.....	324 25
"	20, 31,	E. O. F. Hastings.....	60 00
"	22, 32,	H. W. Carpentier.....	24 00
"	27, 33,	John McFarlan.....	91 00
May	1, 34,	W. H. Graham.....	6 19
"	3, 35,	W. H. Stone.....	34 00
"	6, 36,	W. S. Letcher.....	6 00
"	17, 37,	James W. Denver.....	577 00
June	14, 38,	John Perry, Jr.....	4,212 28
Total amount.....			<hr/> \$6,926 40

STATEMENT

*Of Bids for redemption of Seven per Cent. Bonds issued under Act of 1851,
for the Fiscal Year ending June 30, 1854.*

1853.			
July	5,	Chas. K. Smith for \$4,000 worth @ 93 $\frac{1}{4}$ c.....	\$3,750 00
"		Theo. Payne for \$12,500 worth @ 94c.....	11,750 00
"		Ed. M. Harrison for \$1,000 worth @ 98c.....	980 00
"		Elam Brown for \$1,000 worth @ 98c.....	980 00
Dec.	24,	John Perry, Jr., for \$9,000 worth @ par value.....	9,000 00
"		Chauncey & Moore for \$5,500 worth @ 98c.....	5,390 00
"		W. M. Smith for \$5,000 worth @ 97 $\frac{1}{2}$ c.....	4,875 00
"		John F. Hays for \$1,500 worth @ 99c.....	1,485 00
"		Paul K. Hubbs for \$500 worth @ 99 $\frac{7}{8}$ c.....	499 37
"		H. W. Carpentier for \$500 worth @ 98c.....	490 00
"		Tallant and Wilde for \$1,500 worth @ 97 $\frac{1}{2}$ c.....	1,462 50
1854.			
Feb'y	11,	John Perry, Jr., for \$6,000 worth @ par val. & int. acc'd	6,047 83
March	14,	do. do. for \$3,500 do. do. do.	3,550 36
"		W. C. Parker & Co. for \$5,000 worth @ 98c. and interest	4,900 00
"		do. do. for \$5000 worth @ 99 $\frac{1}{2}$ c.....	4,975 00
		Interest accrued.....	143 89
April	18,	C. W. Rand for \$28,000 worth @ 99 $\frac{1}{2}$ c. interest accrued.	28,442 40
June	17,	John Perry, Jr., for \$10,000 worth @ 98c. int. accrued..	10,124 60

The above bids comprise those *accepted*—those considered more prejudicial to the interest of the State and rejected, are not stated.

STATEMENT

Of Civil Indebtedness of the State of California at the close of the Fiscal Year ending June 30, 1854.

Outstanding 3 per cent. Temporary State Loan		
Bonds, principal.....	\$3,975 00	
Interest on do. to 22d April, '54...	5,849 75	
		\$9,824 75
7 per cent. Bonds issued under Act		
1851, and payable in 1855.....	116,500 00	
do. do. 1861.....	217,500 00	
		334,000 00
7 per cent. Bonds issued under Act of 1852,.....	1,394,500 00	
State Prison Bonds.....	15,000 00	
Controller's Warrants.....	411,215 61	
Interest due School Fund.....	19,104 25	
Amount of Sales of School Lands.....	464,000 00	
		2,647,644 61
Less amount cash in Treasury as per Trial Balance	88,978 52	
Less cash on hand to pay Bids, (See account of		
Sinking Fund of 1850, March 15 and April		
18,).....	38,461 29	
		127,439 81
Total Civil Indebtedness.....		\$2,520,204 80

WAR DEBT.

Amount of 12 per cent. Bonds issued under Act of 1851.....	\$200,000 00
Interest on do. do.	75,812 00
Amount 7 per cent. Bonds issued under Act of 1852.....	609,550 00
Interest due on do.	91,756 38
War Warrants not funded.....	13,364 46
Total War Debt, July 1, 1854.....	\$990,483 12

STATEMENT

Of the amount of Revenue received in the State Treasury from the various Counties from the organization of the State Government to the 1st day of July, 1854.

San Francisco, from County Treasurers.....	\$519,487 51	
“ “ Auction Tax, 1850.....	5,017 07	
“ “ State Assay Office, 1850....	1,034 25	
“ “ City for 25 per cent. on Water Lot Sales.....	83,728 45	
“ “ City Treasurer.....	26,362 50	
“ “ Commissioners of Immigrants	141,334 95	
“ “ Water Lot Property.....	294,902 70	
		\$1,071,867 43
Sacramento, from County Treasurers.....		159,714 30
El Dorado, from County Treasurers.....	94,783 97	
“ “ Foreign Miners' Licences, 1850..	9,485 20	
		104,269 17
Yuba, from County Treasurers.....	63,928 96	
“ “ Foreign Miners' Licenses, 1850.....	9,163 00	
		73,091 96
San Joaquin, from County Treasurers.....		61,040 98
Placer from County Treasurers.....		63,043 29
Santa Clara from County Treasurers.....		56,884 29
Caláveras “ “ “	49,610 60	
“ “ Foreign Miners' Licenses.....	6,559 34	
		56,169 94
Solano, from County Treasurers.....	35,584 41	
“ “ Pacific Mail Steamship Company...	12,500 00	
		48,084 41
Los Angeles, from County Treasurers.....		47,035 94
Nevada, “ “ “		38,764 37
Monterey, “ “ “		41,383 85
Contra Costa, “ “ “		37,845 78
Tuolumne, “ “ “		34,645 03
Sonoma, “ “ “		32,408 52
Butte, “ “ “	17,576 18	
“ “ Foreign Miners' Licenses.....	4,570 00	
		22,146 18
Mariposa, from County Treasurers.....	21,310 31	
“ “ Foreign Miners' Licenses, 1850..	612 00	
		21,922 31
Santa Cruz, from County Treasurers.....		20,286 29
Napa, “ “ “		18,964 69
Santa Barbara, from County Treasurers.....		17,992 11
Shasta, “ “ “	16,112 17	
“ “ Foreign Miners' Licenses,...	221 80	
		16,333 97
Alameda, from County Treasurers.....		15,816 97
Sierra, “ “ “		14,544 83

Sutter, from County Treasurers,	\$12,440 33	
“ “ Foreign Miners' Licenses.....	1,166 00	
		<hr/> \$13,606 33
Yolo, “ County Treasurers.....	12,655 81	
Marin, “ “	12,253 91	
Trinity, “ “	8,873 34	
Siskiyou, “ “	8,329 28	
San Luis Obispo, from County Treasurers.....	7,979 82	
Colusi, “ “	6,595 90	
San Diego, “ “	6,337 01	
Humboldt, “ “	3,645 63	
Klamath, “ “	1,649 62	
San Bernardino, “ “	1,523 46	
Tulare, “ “	403 13	
		<hr/>
Total receipts in the Treasury.....	\$2,158,099 85	

FOREIGN MINERS' LICENSES

Issued to each County during the year 1854.

El Dorado County.....	18,300
Calaveras “	13,140
Nevada “	12,300
Placer “	10,400
Mariposa “	8,200
Trinity “	6,300
Sierra “	6,000
Tuolumne “	5,300
Yuba “	4,500
Butte “	4,300
Plumas “	3,000
Shasta “	2,800
Sacramento “	2,600
Amador “	2,000
Siskiyou “	1,800
Klamath “	1,200
San Joaquin “	500
Stanislaus “	500
	<hr/>
Total.....	103,140

CASH BOOK.

July 1st 1853 to Jan. 1st, 1854, Richard Roman, State Treasurer.

1853.	CASH.	Dr
July 1,	To Balance in Treasury,	\$55,333 74
" 6,	" Treasurer of San Francisco County.....	4,798 84
" 11,	" " El Dorado County,	27,965 31
" 18,	" " San Joaquin County.....	1,857 69
" 19,	" " Placer County.....	5,588 00
" 20,	Secretary of State.....	500 00
" 21,	Treasurer of Sierra County.....	2,756 45
" 25,	" " Monterey County.....	381 02
" 26,	" " Trinity County.....	462 52
Aug. 2,	" " Los Angeles County.....	1,354 70
" "	" " Colusi County.....	698 63
" "	" " Alameda County.....	694 17
" 4,	" City of San Francisco, per C. W. Gunnell.....	287 50
" 8,	Commissioner of Immigrants.....	2,817 00
" "	Treasurer of Tuolumne County.....	1,500 00
" 11,	" " Sutter County.....	1,038 12
" 28,	S. C. Hastings, Attorney-General.....	7,500 00
Sept. 1,	" City of San Francisco, per H. S. Fitch.....	6 75
" "	" " Jas. King of Wm.....	27 50
" 2,	" Estate of W. W. Scott, deceased.....	4,240 31
" 12,	" Wm. Arrington, Sales of State Property.....	218 68
" 22,	" Treasurer of Yuba County.....	9,816 52
" 28,	" " Trinity County.....	2,880 14
Oct. 3,	" " Contra Costa County.....	3,436 38
" "	" " Sutter County.....	1,558 21
" 8,	" " San Francisco County.....	13,943 86
" 10,	" " Santa Clara County.....	14,682 07
" 11,	" " Sacramento County.....	3,811 00
" 15,	" " Placer County.....	7,793 75
" "	" " San Joaquin County.....	11,584 77
" 19,	" Commissioner of Immigrants.....	647 00
" 20,	" Wm. Heeser, Sales of State Property.....	115 00
" "	" Wm. Arrington, Sales of State Property.....	3 53
" "	" Henry F. Dand, " " ".....	24 83
" "	" Charles S. Compton, " " ".....	10 00
" "	" Theodore Payne " " ".....	11 50
" 24,	" Secretary of State.....	742 20
" 25,	" Treasurer of Calaveras County.....	9,350 56
" 31,	" Secretary of State.....	120 00
" "	" Treasurer of El Dorado County.....	13,803 49
Nov. 1,	" Henry F. Dand, Sales of State Property.....	11 67
" "	" William Heeser, " " ".....	12 89
" 3,	" Treasurer of San Francisco County.....	54,355 05
" 11,	" " Colusi County,	2,964 32
" 24,	" " Calaveras County.....	15,126 40
Dec. 2,	" City of San Francisco, per Rob't Rankin.....	452 50

Dec. 3,	To	Treasurer of Solano County.....	\$524 90
"	"	" " " ".....	3,910 78
"	5,	" Secretary of State.....	148 00
"	6,	" City of San Francisco, per E. W. Leonard.....	232 50
"	"	" " " Mr. Mattison.....	27 50
"	"	" " " H. C. Beals.....	32 50
"	13,	" " " G. R. Sanders and S. W. Holladay.....	6 25
"	14,	" Treasurer of San Francisco County.....	41,941 57
"	16,	" City of San Francisco, per H. D. Cogswell and others.....	83 75
"	17,	" Treasurer of Santa Clara County.....	4,436 40
"	"	" Placer County.....	5,583 30
"	19,	" " Los Angeles County.....	13,406 37
"	"	" " Napa County.....	6,697 60
"	21,	" " Shasta County.....	8,318 46
"	"	" " Contra Costa County.....	3,806 81
"	"	" " Nevada County.....	13,943 98
"	23,	" " San Francisco County.....	22,327 14
"	24,	" City of San Francisco, per Levi Parsons.....	32 50
"	"	" " " A. J. Ellis.....	410 00
"	"	" " " J. Mora Moss.....	712 50
"	26,	" Treasurer of Yuba County.....	9,958 37
"	27,	" " Trinity County.....	2,321 47
"	"	" " Sonoma County.....	11,415 95
"	28,	" " Monterey County.....	9,146 98
"	"	" " Siskiyou County.....	3,327 83
"	30,	" Commissioner of Immigrants.....	3,100 00
"	"	" Pacific Mail Steamship Company.....	12,500 00
"	"	" Treasurer of Santa Cruz County.....	2,402 00
"	"	" " " ".....	450 00
"	31,	" " Humboldt County.....	3,645 63
"	"	" " Sacramento County.....	10,843 13
"	"	" " Calaveras County.....	3,647 00
"	"	" Theo. Payne, Sales of State Property.....	55 50
1854.			
Jan. 2,	"	" Cash receipts for sales of School Lands.....	15 70
"	"	" Cash received for War Bonds issued.....	11 67
Total.....			\$486,909 16

CASH BOOK—CONTINUED.

1853.	CASH.	CR.
July 1, General Fund amount, paid W. H. Lyons, Warrant, No. 4,586.....		\$132 00
" Interest Fund of 1851, amount paid W. M. Smith for 2 coupons due July 1, 1853 for \$1,950 each.....		35 00
4, General Fund, amount paid J. W. Baird for Samuel Drake, Warrants 3,594, 4,259.....	\$162 00	
Amount paid Henry A. Crabb, per Samuel Drake for J. H. Baird, Warrants Nos. 3,602, 3,746, 3,601	150 00	
	<hr/>	312 00
" 5, Interest Fund of 1851, amount paid Elam Brown for 3 coupons due July 1, 1853, for \$1,750 each.....		52 00
" Sinking Fund of 1851, amount paid Elam Brown for \$1,000 7 per cent. Bonds due March 1, 1855 @ 98 per cent.....		980 00
" 6, General Fund, amount paid John W. Petri for Temporary State Loan Bonds, Principal.....	1,125 00	
Interest	1,329 75	
	<hr/>	2,447 97
Amount paid to John Y. Lind, Warrant No. 3,629....		1,000 00
" 7, Amount paid Thos. H. Owen, Warrants Nos. 6 and 12.....	121 37	
Amount paid J. M. Estill, Warrants Nos. 3,925, 3,926, 3,927	150 00	
	<hr/>	271 37
" 7, Sinking Fund of 1851, amount paid Chas. K. Smith for \$4,000 7 per cent. Bonds due March 1, 1855 @ 94 per cent.....		3,750 00
" 8, Amount paid Theodore Payne & Co. for \$12,500 7 per cent. Bonds due March 1, 1855 @ 94 per cent.....		11,750 00
" 9, General Fund, amount paid J. H. Wade, per P. T. Herbert, Warrant No. 48..	150 00	
Amount paid Chas. B. Young for Temporary State Loan Bonds, Principal....	7,425 00	
Interest	8,757 92	
	<hr/>	16,332 92
" 11, Amount paid A. T. Lawton, for Temporary State Loan Bonds, Principal..	1,775 00	
Interest	2,087 42	
Amount paid Paul K. Hubbs, Warrant No. 117.....	150 00	
	<hr/>	4,012 42
Stockton State Hospital Fund, amount paid Nelson Taylor, President Board of Trustees, Warrant No. 119..		3,486 78

July 14, General Fund, amount paid John Line for Adams & Co., Warrants Nos. 2,405, 2,406.....	\$150 00	
Amount paid Jesse Brush per Jas. M. Wilson, Warrants Nos. 3,174—3,338	150 00	
		\$300 00
“ 19, General Fund, amount paid A. T. Lawton, per Adams & Co., Temporary State Loan Bonds, Principal.....	1,000 00	
Interest	1,173 00	
		2,173 00
“ 20, Amount paid J. N. Cardoza, per P. K. Hubbs, part Warrant No. 131	150 00	
Amount paid J. J. Hoff, per P. K. Hubbs, part Warrant No. 131.....	72 00	
Amount paid H. W. Carpentier, Certifi- cate No. 408.....	26 17	
		250 17
“ 21, Amount paid Chas. B. Young for Tempo- rary State Loan Bonds, Principal....	2,500 00	
Interest	2,950 10	
		5,450 10
“ 23, Amount paid Wm. Zabriskie.....	100 00	
Amount paid E. C. Dowdigan, per C. W. Ten Broeck, Warrants Nos. 127, 144 and Certificate No. 434.....	100 00	
		200 00
“ 26, Sinking Fund of 1851, amount paid to E. M. Howison for \$1,000 7 per cent. Bonds, due March 1, 1855 @ 98 per cent.....		980 00
Aug. 5, General Fund, amount paid W. C. Martin, per W. E. Gilmore, Warrant No. 3,450.....		50 00
“ 5, Amount paid A. T. Lawton, per Adams & Co., for Temporary State Loan Bonds, Principal.....	3,275 00	
Interest	3,936 07	
		7,211 07
“ Amount paid Chas. B. Young for Tempo- rary State Loan Bonds, Principal..	2,500 00	
Interest	2,951 00	
		5,451 00
“ 15, Sacramento State Hospital Fund, amount paid Ferris Foreman, acting Treasurer, Warrant No. 282.....		899 38
“ 16, General Fund, amount paid John S. Hagar, Warrants Nos. 3,619, 3622.....		150 00
“ 17, Stockton Insane Asylum Fund, amount paid W. W. Ste- venson, Treasurer, Warrant No. 285.....		1,126 80
“ 25, General Fund, amount paid Chas. K. Smith, for Temporary State Loan Bonds, Principal.....	425 00	
Interest	531 62	
		956 62

Aug. 27,	Amount paid Chas. B. Young, Temporary State Loan Bonds, Principal.....	\$2,725 00	
	Interest	3,363 39	
		<hr/>	\$6,088 39
" 29,	Am't per A. T. Lawton, per Adams & Co. Temp. State Loan Bonds, Principal...	875 00	
	Interest	1,092 24	
		<hr/>	1,967 24
Sept. 2,	General Fund, amount paid J. W. Harri- son, per J. H. McKune, Attorney for Rob't Robinson, Warrants Nos. 3,410, 3,738	150 00	
"	Amount paid Rob't Robinson, per J. H. McKune, Attorney, Warrants 2,990, 2991, 2992, 2993, 2996, 2997, 2998, 2,999, part 2,995.....	150 00	
"	Amount paid John S. Houston, Tempo- rary State Loan Bonds, Principal....	4,975 00	
	Interest	6,187 09	
		<hr/>	11,462 09
" 3,	Amount paid Chas. B. Young, Temporary State Loan Bonds, Principal.....	2,000 00	
	Interest	2,457 50	
		<hr/>	4,457 50
" 13,	State Marine Hospital Fund, amount paid Wells, Fargo & Co., Warrant No. 389.....		3,308 17
" 30,	General Fund, amount paid Phillip A. Roach, per W. S. Hughson, Warrant No. 451.....		16 00
Oct. 3,	Amount paid James W. Taylor, Warrants 2,411, 1,744		150 00
" 12,	State Marine Hospital Fund, amount paid Ed. McGowan, Treasurer, per Jas. T. Ewing, Attorney, Warrant No. 518		762 50
" 13,	Estate of W. W. Scott, deceased, amount paid Geo. B. Farrar for infant heir of said deceased, Warrant No. 522.....		4,240 31
" 14,	General Fund, amount paid E. McGarry, Certificate No. 406.....		34 00
" 21,	State Marine Hospital Fund, amount paid Edward Mc- Gowan, Treasurer, per James T. Ewing, Attorney, Warrant No. 617.....		999 93
" 25,	General Fund, amount paid W. S. Peirce, per W. S. Hughson, Warrant No. 436	666 66	
"	Amount paid to W. S. Hughson, War- rant 433.....	270 00	
"	Amount paid James T. Ewing, Warrant No. 447.....	270 00	
		<hr/>	1,206 66

Oct. 26,	Amount paid Paul K. Hubbs, Warrants Nos. 151, 492, 521, 546, Certificate 465	\$1,227 60	
"	Amount paid Wm. H. R. Wood, Warrants Nos. 462, 551, 553, 554, 653, 659	520 00	
"	Amount paid Richard Harrison, Warrants 2,767, 299, 300, 564, 565	586 00	
"	Amount paid Joseph Winston, Warrant No. 619	150 00	
"	Amount paid A. J. F. Phelin, Warrant No. 627	270 00	
		<hr/>	\$2,753 60
" 27,	Amount paid Joseph Winston, Warrants Nos. 3,244, 4,210, 29, 438, 439, 547	208 33	
"	Amount paid W. H. R. Wood, Warrant No. 664	62 00	
		<hr/>	270 33
" 28,	General Fund, amount paid James M. Winston, Warrant No. 665	40 00	
	Amount paid Jos. Winston, Warrant No. 555	50 00	
		<hr/>	90 00
" 29,	Amount paid Richard Roman, Warrants Nos. 404, 405, 450, 453	834 00	
	Amount paid John F. Hays, Warrants Nos. 383, 525, 526	820 00	
		<hr/>	1,654 00
" 31,	Amount paid R. Roman, Warrant No. 693	750 00	
"	" John F. Hays, " 692	270 00	
"	" W. H. R. Wood, " 694	270 00	
"	" A. J. F. Phelin, " 691	270 00	
"	" E. W. McKinstry, 699, 700	300 00	
"	" Paul K. Hubbs, " 687	144 00	
"	" W. S. Pierce, " 688	666 66	
"	" Chas. H. Hempstead, 701	150 00	
"	" W. S. Hughson, " 690	270 00	
"	" Jas. T. Ewing, " 689	270 00	
"	" Palmer, Cook & Co., per Geo. D. Hall, Warrants Nos. 339, 587, 588, 590, 607, 645, 646, 647, 661, 662, Certificate No. 511	14,160 00	
		<hr/>	17,520 66
Nov. 1,	Hospital Fund, amount paid Court of Sessions of El Dorado County, per W. H. Stone, Attorney, Warrant No. 718	596 62	
" 2,	Interest Fund of 1851, amount paid Palmer, Cook & Co.	12,495 00	
"	Amount paid Palmer, Cook & Co., interest due Jan. 1, 1854, in the City of New York	49,255 00	
"	State Marine Hospital, amount paid Palmer, Cook & Co., Attorneys for E. McGowan, Treasurer, Warrant No. 712	225 00	

Nov.	3,	General Fund, amount paid Chas. B. Young, per E. W. McKinstry, Warrants Nos. 623, 639.....	\$1,042 50	
"		Amount paid E. W. McKinstry, Warrant No. 698.....	200 00	
"		Amount paid Francis M. Hart, Warrants Nos. 2,129, 2,163.....	105 00	
"		Amount paid Palmer, Cook & Co. per W. W. Gift, Warrants Nos. 1,777, 1,780, 362, 612, 614, 615, 616, 618..	12,435 07	
				\$13,782 57
"	5,	Hospital Fund, amount paid Court of Sessions, Sacramento County, per Dr. Johnson Price, Warrant No. 729.....		221 00
"	11,	State Library Fund, amount paid Wells, Fargo & Co. per J. C. Gulick, agent, Warrant No. 737.....		472 25
"	14,	General Fund, amount paid Richard Roman, Warrant No. 749.....		25 00
"	15,	Amount paid Palmer, Cook & Co. per W. W. Gift, Warrants Nos. 738, 754.....		1,140 00
"	24,	Amount paid A. B. Laforge, Warrant No. 769.....		263 00
"	26,	Amount paid Wm. S. Hughson, Warrant No. 695.....	50 00	
"		Amount paid Palmer, Cook & Co. per W. W. Gift, Warrants Nos. 470, 568, 569, 570, 571, 572, 574, 575, 576, 577, 580, 581, 583, 585, 589, 591, 592, 593, 594, 595, 596, 597, 608, 609, 610, 650,	11,030 00	
				11,080 00
Dec.	1,	State Marine Hospital Fund, amount paid Palmer, Cook & Co. per W. W. Gift, Warrant No. 809.....		1,209 62
"		General Fund, amount paid Chas. B. Young, per Joseph Winston, Warrants Nos. 642, 643.....		1,000 00
"	5,	Amount paid J. T. Ewing, Warrant No. 840.....	270 00	
"		Amount paid Wm. S. Hughson, Warrant No. 839.....	270 00	
"		Amount paid Richard Roman, Warrants Nos. 834, 831.....	800 00	
"		Amount paid A. J. F. Phelan, Warrant No. 829.....	270 00	
"		Amount paid John F. Hayes, Warrant No. 828.....	270 00	
				1,880 00
"	8,	Chas. K. Smith for Temporary State Loan Bond, Principal.....	200 00	
		Interest.....	272 90	
				472 90

Dec. 15,	Amount paid Palmer, Cook & Co. per W. W. Gift, Warrants Nos. 193, 325, 746, 776, 767, 817, 849, 856, 860, 861	\$7,335 00	
"	Amount paid W. S. Pierce by Jas. T. Ewing, Attorney, Warrant No. 830..	666 66	\$8,001 66
" 19,	Amount paid Palmer, Cook & Co. per W. W. Gift, Warrants Nos. 748, 752, 753	2,364 00	
"	Amount paid E. W. McKinstry, per Jo- seph Winston, Warrants Nos. 697, 855	1,000 00	
"	Amount paid Joseph Winston, Warrants Nos. 806, 853, 854.....	187 77	
"	Amount paid Richard Harrison, War- rants Nos. 736, 724.....	255 00	3,806 77
" 20,	Amount paid R. W. Fishbourne, War- rant No. 883.....	1,000 00	
"	Amount paid Palmer, Cook & Co. per W. W. Gift, Warrants Nos. 710, 716	7,193 00	8,193 00
" 24,	Amount paid W. H. R. Wood, Warrants Nos. 745, 857.....	360 00	
"	Amount paid C. P. Hester, Warrants Nos. 858, 4,313.....	1,249 99	1,609 99
"	General Fund, amount paid Chas. H. Hempstead, Warrants Nos. 807, 808.	170 00	
"	Amount paid Joseph McAfie, Warrant No. 884.....	25 00	195 00
"	Sinking Fund of 1851, amount paid Chauncey & Moore for \$5,500 7 per cent. Bonds, due March 1, 1855 @ 98 per cent.....	5,390 00	
"	Amount paid John Perry, Jr. for \$9,000 7 per cent. Bonds, due March 1, 1855, @ par.....	9,000 00	
"	Amount paid Paul K. Hubbs for \$500 7 per cent. Bonds, due March 1, 1855, @ 99 $\frac{7}{8}$ per cent.....	499 37	
"	Amount paid John F. Hayes for \$1,500 7 per cent. Bonds, due March 1, 1855, @ 99 per cent.....	1,485 00	16,374 37
" 26,	Amount paid W. M. Smith for \$5,000 7 per cent. Bonds, due March 1, 1855, @ 97 $\frac{1}{2}$ per cent.....		4,875 00

Dec. 26,	General Fund, amount paid Chas. A. Leake, Certificate No. 265.....	\$4 00	
"	Amount paid Chas. B. Young, per Jos. Winston, Warrants Nos. 640, 641....	1,000 00	
"	Amount paid Jas. M. Wilson, Warrant No. 900.....	270 00	
"	Amount paid Palmer, Cook & Co. per W. W. Gift, Warrants Nos. 719, 794, 798, 812, 813, 814, 815, 816, 862....	23,718 71	
"	Amount paid Isaac N. Dawley, per Wells, Fargo & Co., Warrants Nos. 1,945, 2,605, 2,606, 2,607, 3,343, 3,344, 3,759, 4,374.....	811 00	
"	Amount paid Isaac N. Dawley, per Wells, Fargo & Co., Warrants Nos. 746, 794, 815, 817, 1,152, 2,236, 2,348, 2,349, 2,553, 3,008, 3,036, 3,156, 3,161, 3,291, 3,370, 3,390, 3,454, 3,457, 3,642, 3,786, 4,123, 4,224, 4,345, 4,427, 4,438, 4,475, 204, 586, 709, 743, Certificates Nos. 302, 311, 374, 396, 427, 467, 475.....	2,536 18	\$28,339 89
" 27,	Amount paid J. W. Denver, Warrants Nos. 804, 728, 189.....	1,466 67	
"	Amount paid W. H. R. Wood, Warrant No. 909.....	91 50	1,558 17
" 28,	Amount paid R. M. Anderson, per Jos. Winston, Attorney, Warrant No. 899	61 67	
"	Amount paid Joseph Winston, Warrant No. 882.....	175 00	236 67
" 29,	Amount paid C. T. F. Lea, Warrant No. 951.....	486 00	
"	Amount paid Isaac N. Dawley, per Geo. L. Bradley, Warrant No. 498.....	425 00	
"	Amount paid J. B. Devoe, Warrants Nos. 4,422, 733, 765, 952, 953, 954, 955, 956, 957, 958.....	6,455 29	7,366 29
"	Insane Asylum Fund, amount paid W. W. Stevenson, Treasurer, Warrant No. 942.....		258 80
" 30,	General Fund, amount paid Jesse Sawyer, Warrants Nos. 959, 566.....	523 25	
"	Amount paid James Miller, Warrant No. 960.....	300 00	
"	Amount paid John L. Miller, Warrant No. 961.....	15 65	838 90

Dec. 31,	Amount paid Jas. T. Ewing, Warrants Nos. 973, 980.....	\$284 00	
"	Amount paid A. J. F. Phelin, Warrant No. 975.....	270 00	
"	Amount paid H. C. Murry, per Jas. T. Ewing, Warrants Nos. 974, 977.....	833 34	
"	Amount paid W. S. Hughson, Warrant No. 976.....	288 00	
"	Amount paid W. C. Kibbe, Warrant No. 971.....	166 66	
"	Amount paid John F. Hays, Warrants Nos. 972, 979.....	275 75	
"	Amount paid A. B. Laforge, Warrants Nos. 859, 965.....	715 00	
"	Amount paid R. W. Fishbourn, Warrant No. 968.....	200 00	
"	Amount paid J. W. Mandeville, Warrant No. 4,404.....	12 00	
"	Amount paid S. A. McMeans, Warrant No. 4,406.....	12 00	
"	Amount paid Paul Shirley, Warrant No. 950.....	18 00	
			\$3,074 75
"	Sinking Fund of 1851, amount paid Tallant & Wilde for \$1,500 7 per cent. Bonds, due March 1, 1855 @ 97½ per cent.....		1,462 50
1854.			
Jan. 2,	Interest Fund of 1851, amount paid Wells, Fargo & Co. for 3 coupons due January 1, 1854 @ \$17 50 each...		52 50
"	General Fund, amount paid Joseph Walk- up, Warrants Nos. 3,672, 3,674, 3,674, 3,675, 3,676, 3,677, 3,678, 3,679, 3,680, 3,681, 3,682, 4,281, Certificate No. 413	1,131 00	
"	Amount paid Palmer, Cook & Co., per W. W. Gift, Warrants Nos. 2,168, 544, 881, 940, 966.....	1,514 75	
			2,645 75
" 3,	Balance due transferred to new account.....		176,850 71
	Total.....		\$486,909 16

CASH BOOK—CONTINUED.

1854.			
Jan. 3,	To	Balance brought up.....	\$176,850 71
"		General Fund.....	\$33,827 98
"		Interest Fund of 1851.....	44,543 36
"		Sinking Fund of 1851.....	490 00
"		Interest Fund of 1852.....	5,668 30
"		State Prison Interest Fund.....	19,199 59
"		School Fund.....	53,511 11
"		State Marine Hospital Fund.....	4,096 89
"		Hospital Fund.....	10,994 43
"		Insane Fund.....	1,218 03
"		Insane Asylum Fund.....	1,240 20
"		State Library Fund.....	1,305 95
"		Military Fund.....	279 60
"		State Property Fund.....	463 60
"		War Fund.....	11 67
Total.....			<hr/> \$176,850 71

Document No. 4.

• IN ASSEMBLY.]

[SESSION 1855.]

ANNUAL REPORT

OF THE

SUP'T OF PUBLIC INSTRUCTION,

OF THE

STATE OF CALIFORNIA.

[B. B. REDDING, STATE PRINTER.]



R E P O R T .

To the Honorable the Senate and Assembly of the State of California :

The undersigned, Superintendent of Public Instruction, respectfully submits, in accordance with law, the following annual report.

The duties devolving upon the department of Public Instruction have been, during the past year, of the most arduous character, owing mainly to the chaotic state in which the whole subject of education seemed to be involved throughout the State, and the ambiguous character of the existing law. Nevertheless, through the active instrumentality of able and worthy men in all portions of the State, thirty-six of thirty-nine counties have reported to the department, exhibiting an interest and devotion to the future prosperity of our Commonwealth, in this respect, unprecedented in any State of the Republic numbering but four years of existence.

By the tables hereunto appended, marked A and B, it will be perceived that the number of schools have increased the present year from 51 to 168, the number of teachers from 57 to 214, number of children reported, from 10,953 to 20,075, and the expenditures paid for public school purposes by the State fund, taxation and private donation, from \$54,231 in 1853, to \$272,829 82 in 1854. During this time the average attendance at the schools has increased from 2,020 in 1853, to 5,751 in 1854; exhibiting, nevertheless, the lamentable fact that nearly *three fourths of the children of our State are growing up devoid of learning to read or write.*

This startling but stubborn truth should awaken the representatives of the most highly intelligent people upon the earth to immediate remedial action. The effect of the legislative sleep of the past sessions upon this subject cannot but be felt in the immoral tendencies of trained ignorance in our land.

The State appropriation has decreased from \$53,511 for 1853, to \$38,087 62 for 1854. A mere pittance, of an average of \$180 each to the teachers for the entire year, toward the support of a class of the most meritorious citizens of the State—not an average of one month's appropriate pay to those who could readily earn at least that much per *month* in almost any other honorable pursuit. So far from expecting a future increase, proportioned to the imminent wants of this great community, it is evident that, without radical and positive change in the supplies by legislative action, we shall have a meagre return for the present year from the schools, many of which are now being abandoned for lack of support. These ex-

penditures cannot be borne by the parents of children largely encumbered by increasing expenses; in many cases, too, after parting with the last dollar on the journey to the home of their adoption.

This is so well known and severely experienced by tens of thousands of devoted fathers living among us, as to require them to separate themselves from all the holy ties of the family home, and to refrain from bringing their wives and children to California, in order to educate their offspring in lands more congenial to the future prosperity of the children of their dearest hopes.

No Government is worthy the name of civilization that refuses to educate, and to educate properly, the children of the State. It is purely ridiculous and mean in the individual to say, "I will not pay for the education of the children of others." You pay for roads over which you never travel, and you pay for prisons which you never inhabit. It is but a part of the social compact of civilized society, to advance the intelligence and to elevate the character for independent thought and action, of the whole people.

The efforts of this department, established under the most salutary provision of the Constitution, will avail little without the establishment also of the Common School System, armed with all the vigor of its purity, and supplied with proper means of maintaining vitality and force, in elevating the intelligence and the moral character of the youth of our State.

In every county of the State, schools exist. The enterprising Germans of San Francisco are teaching the language of the "Faderland." The Spanish and French languages are taught in many flourishing but expensive private schools. County Institutes of Public School Teachers and Officers are being everywhere established. A State Teachers' Institute has been established. The first great Educational Convention of the Pacific has been held, with presage of marked utility. Perhaps no previous Convention in any State of the Union exhibited more enlightened judgment in relation to the great subject of Education, or, with the exception of some of the proposed changes in portions of the School Law, so great unanimity of sentiment.

The first remedial action I have to recommend from its pressing importance, is the establishment of an Industrial School for juvenile offenders.

Deprived, in many portions of the State, of opportunity by Common School education to learn to do well, numbers of young boys are now in common jails, being trained under skilful masters in all that is baneful to society, or permitted by lenient justice to revel in their evil occupations, sooner than place them in that extraordinary School, the State Prison.

An Industrial School should be established and thoroughly enclosed, in some isolated place, far away from the State Prison. Here the young transgressors may, in learning useful trades, be made to maintain themselves without cost to the State, and from whence they can be sent properly trained in morals, with a knowledge of the rudiments of intellectual education, and with sufficient extra earnings to allow them to maintain, in their future life, an honest position in society.

In relation to the Public Schools,

First—I respectfully recommend that provision be made by law for the semi-annual apportionment of the State and County funds.

Second—That each Township elect annually one Commissioner, to serve for three years. The election of 1855 to include one to serve for one, one to serve two, and one to serve three years.

Third—That cities numbering over ten thousand inhabitants have special district organization, with restrictive requirements to maintain schools.

Fourth—That the office of County Superintendent be dispensed with. In the densely settled State of New York, that officer may be indispensable; but it has been found to work badly in our sparsely settled counties, as tending to useless expenditure and formality.

Fifth—That the people of each Township, after deciding by vote upon an assessment for school purposes on the estimate of the School Commissioners, elect, in the month of May of each year, a Township Collector and Treasurer, who, acting under bonds, shall account directly to the State department; and that the State fund apportioned be sent directly to the Township Treasurer, after report from Commissioners of his accounts to the department, together with the reports of their schools.

Sixth—If, as all the action of Congress would seem to indicate, the 16th and 36th sections of Township School Lands can only be used for the benefit of the Township where situated, they should, by legislative enactment, be placed forthwith under the charge of the Township School Commissioners, directed to use the income for school purposes. I respectfully refer to my communication to the Legislature of the session of 1854, document No. 5 of Appendix to Assembly Journal, for more detailed views in this relation, and in respect to settlers on the 16th and 36th sections, and to the proper disposition of the remaining 268,000 of the 500,000 acres donated by Congress, as also in relation to the establishment of the University. And further refer to document hereunto appended, marked C, showing, I think, conclusively, that sales of Township Lands must be made under supervision of the people of the Township, and the proceeds used within the Township, and that it cannot be placed in the State fund otherwise than for the use of the Township, if at all.

From the fact that our densely settled Mountain Counties are, by reason of non-survey, thus cut off from the Township 16th and 36th sections, some remedy should be provided by Congress; and the undersigned has reason to believe that our delegation in Congress will press the allowance to our non-sectionised counties, from the public lands within the district, of an amount of public land equal to that estimated to be lost by non-survey. It is to be hoped that the legislation in relation to the Township Lands may be of such a character as not to leave a doubt in respect to the title. A different course has been pursued in the State of Indiana, resulting in innumerable law suits.

The income from the sale of *School Land Warrants* has been increased during the past year but a few dollars; in fact, the Warrants are selling in the hands of innocent purchasers at half the original amount paid to the State.

The income from *Poll Tax* (a small portion of which is, by the Act of 1854, assigned to the School fund) has amounted, up to the 1st of December, to but \$5,062 18, including all receipts from County Treasurers. It is estimated that about \$25,000 will yet be received from that source, applicable to payment of teachers now employed.

The unwearied endeavor on the part of the Executive to have placed in the School fund what of right belongs there from *Escheated Estates*, it is hoped will be seconded by the proper legislative enactments and appropriation. If, as is alleged, millions of property is being withheld from its proper destination, surely an effort should be made to obtain it. It is due to all the parties in interest that the whole matter be promptly decided by the legal tribunals.

Our State University should be established at the earliest possible moment. It should, like that of Michigan, be a free University; the head or great high school to the public schools of the State. It is true we have several Colleges for the usual collegiate studies, as the "University of the Pacific," in Santa Clara, under charge of the Methodist Episcopal Church; one other under the auspices of the Catholic Church; one projected and liberally endowed, in charge of the Episcopal Church; and several institutions under charge of the various denominations of the Christian faith. These are all well, as far as they go; but our public school system would be incomplete without a great high school, divested of sectarian peculiarity. We hold that the State should provide, with the aid of the Congressional donations, and by the necessary taxation, to educate her infants from the alphabet to the most ele-

vated sciences ; combining therewith, habits of industry, of moral and social good manner, a knowledge of the preservation of health, and, above all, be trained in unbounded adoration of our God.

It has been reserved for our own beloved country, to lay down the corner stone of the only true system of Common Schools ; and to rear thereupon the most stately edifice that adorns the intellectual world.

The great and well settled principle of action in the Common Schools of the United States, is to so give strength to the understanding, and maturity to the judgment of every pupil, as to enable him or her to maintain an unblemished life of virtue and morality, embellished by high intellectual attainment. That the inculcation of tenets of religious faith belong to the religious instructor, to the hearth-home and the church, and not to the school house.

It would be unworthy so intelligent a people as the people of California, to permit, for a moment, a question of dollars and cents, or the silly quarrels of sectarians, to impede the proper education of a race of men upon whom will devolve, in the great movement of the future, more of high responsibility, as leaders in the van of our free institutions, than has yet been assigned by the providence of God, to any people.

With the adoption of the Free School System, we prepare a way for the future greatness of the State, and present to the world a truthful reflex of her proud position, as the richest confederate in the great democratic nation of nations.

To refuse or to neglect to do this, will pave the road to our degradation ; will cause the revelry of crime in our midst, and make our hopeful fields to yield us but tares of vice and of infamy.

PAUL K. HUBBS,
Superintendent.

DEPARTMENT OF PUBLIC INSTRUCTION, }
Benicia, January 15, 1855. }

TABULAR STATEMENT of Receipts into State Treasury, from January 1st, 1851 to June 30, 1851.

FROM WHOM RECEIVED.	Date. 1851.	General Fund.	Interest Fund of 1851.	Interest Fund of 1852.	State Prison Interest Fund.	Hospital Fund.	Insane Asylum Fund.	M. Hospital Fund.	Library Fund.	School Fund.	Insane Fund.	State Property Fund.	Military Fund.	Estate Deceased Persons.	TOTALS.
Richard Roman, late Treasurer	Jan. 3	\$33,828 48	\$45,033 36	\$5,667 80	\$19,199 59	\$10,994 43	\$1,240 20	\$4,096 89	\$1,305 95	\$53,511 11	\$1,218 03	\$408 10	\$279 00		\$176,783 54
City of San Francisco, per G. W. Halsey.	" 3	313 75													343 75
Treasurer of Alameda County.	" 3	5,740 21	3,517 75	4,690 33	938 07	100 03		100 03			36 38				15,122 89
" Mariposa County.	" 4	5,650 84	1,179 17	1,572 22	314 44										8,716 67
" El Dorado County.	" 4	5,705 21				720 35		720 35							7,145 91
Jas. W. Denver, Secretary of State.	" 5								163 00						163 00
Treasurer of Tulare County.	" 7	221 77	68 88	91 84	18 37						7 27				408 13
" Mariposa County.	" 7	2,157 50	112 50	150 00	30 00										2,450 00
" Yolo County.	" 10	1,193 65	644 75	859 67	171 95										2,870 00
" San Diego.	" 13	639 66	456 90	609 20	121 84										1,827 60
City of San Francisco, per Fund Commissioners.	" 14	50,000 00													50,000 00
Treasurer of San Joaquin County.	" 19	1,718 16	997 47	1,329 96	265 99	485 61		485 61			50 93				5,333 73
" Sutter County.	" 24	513 99	298 70	398 27	79 65										1,290 61
" San Bernardino County.	" 26	702 05	291 74	388 98	77 79	33 95		33 95							1,528 46
" Santa Barbara County.	Feb. 7	2,193 38	1,316 92	1,755 90	351 18	118 13		118 13							5,853 64
" Butte County.	" 8	5,990 65	516 27	688 36	137 67		14 50								7,347 48
Commissioner of Immigrants.	" 22					294 60	352 80	294 60							892 00
Treasurer of Mariposa County.	March 6	2,969 58													2,969 58
" Placer County.	" 7	3,700 00	500 00	666 66	133 34										5,000 00
" El Dorado County.	" 15	7,761 50													7,761 50
" San Francisco County.	" 16	8,148 27	5,984 45	7,979 25	1,595 84	121 25	7 28	121 25							24,557 59
" Sacramento County.	" 17	6,741 50	4,122 50	5,496 67	99 33										17,460 00
Commissioner of Immigrants.	" 21					656 10	874 80	656 10							2,187 00
Treasurer of Sonoma County.	" 21	935 59	381 98	509 30	101 86	67 61		67 61							2,063 95
Estate of Geo. Rock, deceased.	" 21													\$89 09	89 09
Treasurer of San Luis Obispo County.	" 22	637 24	406 18	541 57	108 31										1,693 30
" Klamath County.	" 23	450 00	250 00	323 23	66 67										1,100 00
" Mariposa County.	" 23	222 98													222 98
" Solano County.	" 28	2,276 82	1,484 47	1,979 30	395 80										6,136 45
Jas. W. Denver, Secretary of State.	" 29								140 00						140 00
Commissioner of Immigrants.	April 8					1,173 15	1,564 20	1,173 15							3,910 50
Treasurer of Yolo County.	" 12	550 00	250 00	323 24	66 66										1,200 00
Jas. W. Denver, Secretary of State.	" 14								217 00						217 00
Treasurer of Placer County.	" 17	2,544 95	360 76	481 02	96 20	327 37		327 38							4,137 68
" Yuba County.	" 20	1,693 83	388 69	518 27	103 65	251 42		251 43							3,207 29
" San Joaquin County.	" 25	451 68	39 08	52 11	10 42	191 57	21 85	191 58							958 27
" El Dorado County.	May 3	5,011 45	647 65	863 53	172 71	805 10	7 27	805 10							6,312 81
" Sierra County.	" 5	1,900 00													1,900 00
" Contra Costa County.	" 5	238 78	95 43	121 24	25 45	58 20		58 20							603 30
Commissioner of Immigrants.	" 8					2,592 00	3,456 00	2,592 00							8,640 00
Treasurer of Trinity County.	" 9	860 14				55 71		55 78							911 69
" Calaveras County.	" 13	4,913 99	861 97	1,149 28	229 86	243 33		243 32							7,641 75
" Tuolumne County.	" 17	2,330 75	801 25	1,068 33	213 67										4,414 00
" San Francisco County.	" 23	8,080 59				242 50		242 50							8,566 59
Jas. W. Denver, Secretary of State.	June 2								574 00						574 00
Commissioner of Immigrants.	" 14					2,662 20	3,549 60	2,662 20							8,874 00
Treasurer of Sierra County.	" 16	7,975 48	897 50	1,196 67	239 33	239 70		239 70							10,788 38

Totals. \$181,624 10 \$21,906 32 \$41,498 40 \$26,365 68 \$22,404 37 \$11,083 59 \$15,506 86 \$2,399 95 \$53,511 11 \$1,312 61 \$408 10 \$279 60 \$89 09 \$431,465 02

Amount of Receipts for State Property 55 50

War Fund 11 67

Grand Total. \$431,532 19

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APPENDIX C.

Notes of Acts of Congress in relation to Township School Lands.

Statutes at Large, vol. 1, page 465: Decision of the Courts of the United States.—Congress, alone, invested by the Constitution with the power of disposing of the public land, and making needful rules.

Vol. 3, page 467, Act March 2, 1819.—“With the exception of section number sixteen, in each Township, which shall be reserved for the support of schools *therein*.”

Same, page 680, Act May 6, 1822.—“With the exception of section number sixteen, in each Township, which shall be reserved for the use of schools *within the same*.”

Vol. 4, page 179, Act May 20, 1826.—“In which section number sixteen, *or other land equivalent thereto*, is, by law, directed to be reserved for the support of schools in *each Township*, there shall be reserved and appropriated for the use of schools in each entire Township or fractional Township, for which no land has been heretofore appropriated or granted for that purpose, the following quantities of land, etc.”

Same, page 418, Act May 29, 1830.—“Where the sixteenth section, in whole or part, is included in ‘private claims held by title confirmed,’ other lands *most convenient to the same*, may be selected in lieu thereof.

Same, page 685, Act June 26, 1834.—“That the *trustee* of the school lands in and for Township number sixteen, north of range thirty, west of the principal meridian in the Territory of Arkansas, be and *he* is hereby authorized to select and have set apart, *for the use of schools in said Township*, one entire section of any of the unimproved lands in said Township, in lieu of section number sixteen, etc.”

Vol. 5, page 600, Act Feb. 15, 1843.—Authorizes the Legislatures of Illinois, Arkansas, Louisiana and Tennessee, to “provide by law for the sale and conveyance in fee simple, of all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within said States, etc.; *provided*, said land, or any part thereof, *shall in no wise be sold without the consent of the inhabitants of such Township or District*, to be obtained in such manner as the Legislatures of said States shall by law direct; and in the apportionment of the proceeds of said land, each Township and District shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands *belonging to such Township or District*.”

Vol. 5, page 728, Act Feb. 26, 1845.—Alabama and Mississippi School Reservations, provisions for sales; “*provided*, that nothing herein contained shall be so construed as in any wise to effect the validity and binding force of any such selections as may heretofore have been made in virtue of said fourth section, (Act of July 4, 1836), and accepted by the inhabitants of those surveyed Townships respectively, *for whom* they may have been made, as an equivalent and substitute for section number sixteen, within such surveyed Township.”

Also, in Section 3.—“That when the land shall have been so, as aforesaid, selected, and reported, and as aforesaid so accepted by said inhabitants of said surveyed Township respectively, the same shall *vest in the State of Alabama subject to*

the same disposition and uses, and shall be holden subject to the same conditions and terms, in all respects whatever, as by the said sixth section of the Act herein above referred to, were prescribed or intended, in relation to sections number sixteen within said State of Alabama."

Vol. 6, page 847, Act of August 1, 1842.—Gives assent of the United States to the "sale heretofore made of section number sixteen, in Township number thirty-nine, etc., in the State of Illinois, by and under the authority of said State, with the *assent of the inhabitants* of the Congressional Township in which such section is situated," and provides only "so far as the United States are concerned in the matter."

Same, page 862, Act August 16, 1842.—Compensates the Trustees of Dublin Township for parts of section sixteen, granted, by Act of Congress, to Anthony Shaw, \$311 08, and other part to Louis Godfroy, \$426 62.

Session 1849-50, page 452.—Reserves, in the Territory of New Mexico, the sixteenth and thirty-sixth section, for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be erected out of the same. No pre-emptor provision, or provision that the lands shall be for the benefit of the schools within each Township: these are all left for subsequent legislation by Congress.

Page 457.—Same for Territory of Utah.

Page 452.—California "shall never interfere with the primary disposal of the public lands, etc."

Act Feb. 19, 1851, page 568.—Territories of Oregon and Minnesota authorized to take charge of the sixteenth and thirty-sixth sections, "reserved in each Township for the support of schools therein."

Act May 19, 1852.—Act to authorize the Legislature of the State of Mississippi to sell the lands heretofore appropriated for the use of schools in that State, and to ratify and approve the sales already made, "That the Legislature of the State of Mississippi shall be, and is hereby, authorized to sell and convey in fee simple, or lease for a term of years, as the said Legislature may deem best, all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within the State, and to invest the money arising from said sale, as said Legislature may direct, for the use and support of schools within the several Townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatsoever; *provided*, said lands, or any part thereof, shall in no case be sold or leased without the consent of the inhabitants of such Township or District, to be obtained in such manner as the Legislature of said State may by law direct; *and, provided further*, that in all cases the money arising from the sales of lands within a particular Township and District, shall be appropriated to the use of schools within *that* Township and District."

We close by referring to the Act of March 3, 1852, "For the survey of the public lands in California, the granting of pre-emption rights therein, and for other purposes."

SEC. 6. *And be it further enacted*, that all the public lands in the State of California, whether surveyed or unsurveyed, with the exception of sections sixteen and thirty-six, which shall be and hereby are granted to the State for the purpose of public schools, in *each Township*, and, with the exception, etc.

APPORTIONMENT
OF
SCHOOL FUND,
JANUARY 1st, 1855,
BY
STATE BOARD OF EDUCATION.



D.

APPORTIONMENT OF SCHOOL FUND, JAN. 1, 1855.

COUNTIES AND SCHOOL DISTRICTS.	Number of Children entitled to School Fund.	Amount apportioned.	COUNTIES AND SCHOOL DISTRICTS.	Number of Children entitled to School Fund.	Amount apportioned.
ALAMEDA.			EL DORADO.		
Washington,	179	\$365 62	Coloma,	120	245 11
Eden,	92	187 92	Georgetown,	112	228 77
Oakland City,	204	416 68	Placerville,	265	541 28
Alameda,	50	102 13	Kelsey,	57	116 42
			Mud Springs,	219	447 32
AMADOR.			White Oak,	90	183 83
Township, No. 1,	91	185 87	Cosumnes,	112	228 77
Do. No. 2,	108	220 60	Greenwood,	48	98 04
Do. No. 3,	157	320 68	Diamond Springs,	172	351 32
Do. No. 5,	33	67 40			
Do. No. 10,	43	87 83	HUMBOLDT.		
BUTTE.			Union,	79	161 36
Bidwell,	47	96 00	Eureka,	45	91 91
Ophir,	95	194 04	Bucksport,	62	126 64
Oro,	67	136 85			
CALAVERAS.			KLAMATH.		
Township, No. 4,	67	136 85	Crescent Township,	42	85 79
Do. No. 5,	29	59 23			
Do. No. 6,	97	198 13	LOS ANGELES.		
Do. No. 8,	70	142 98			
Do. No. 9,	62	126 64	City Los Angeles,	753	1,538 05
CONTRA COSTA.			San Gabriel,	167	341 11
Township, No. 1,	122	249 19	Elmonte,	271	553 54
Do. No. 2,	110	224 68			
Do. No. 4,	125	255 32	MARIN.		
Do. No. 5,	74	151 15	Mission of San Ra-		
Do. No. 6,	49	100 09	fael,	75	153 19

APPORTIONMENT—Continued.

COUNTIES AND SCHOOL DISTRICTS.	Number of Children entitled to School Fund.	Amount apportioned.	COUNTIES AND SCHOOL DISTRICTS.	Number of Children entitled to School Fund.	Amount apportioned.
MARIPOSA.			SAN BERNARDINO.		
Township, No. 2,	64	130 72	San Bernardino } Township and City,	292	596 43
Do. No. 3,	57	116 42	Do. Do. Dist. No. 2	80	163 40
MONTEREY.			San Bernardino } Township, Mission District,	30	61 28
Monterey Township	395	806 81			
San Juan,	232	473 87			
NAPA.			SANTA CLARA.		
Napa City,	185	377 87	San Jose City and Township,	677	1,382 81
Hot Springs,	51	104 17	Santa Clara Township,	552	1,127 49
Yount,	113	230 81	Gilroy Do.	163	332 94
NEVADA.			Fremont Do.	225	459 58
Nevada Township,	205	418 72			
Grass Valley,	150	306 39	SANTA CRUZ.		
Rough and Ready,	137	279 83	Santa Cruz Township,	201	410 55
PLACER.			Soquil Do.	80	163 40
Gold Hill,	81	165 45	Pajero Do.	143	292 09
Ophir,	31	63 32			
Anburn,	68	138 89	SAN DIEGO.		
Iowa Hill,	79	161 36	San Diego,	99	202 21
SACRAMENTO.			SAN FRANCISCO.		
Sacramento Township and City,	1,293	2,641 03	Township, No. 5.	*165	337 02
Prairie Township,	76	155 24	City San Francisco,	†3,282	6,703 68
San Joaquin Do.	164	334 98			
Cosumnes Do.	172	351 32	SAN JOAQUIN.		
Sutter Do.	111	226 73	Astoria,	118	241 02
Dry Creek Do.	49	100 09	Elliott,	73	149 11

* 335 should be.

† 498, in abeyance.

APPORTIONMENT—Continued.

COUNTIES AND SCHOOL DISTRICTS.	Number of Children entitled to School Fund.	Amount apportioned.	COUNTIES AND SCHOOL DISTRICTS.	Number of Children entitled to School Fund.	Amount apportioned.
Elk Horn,	122	249 19	Santa Rosa,	139	283 91
Emory,	59	120 51	Vallejo,	91	185 87
Douglass,	103	210 39	Sonoma,	234	477 95
O'Niel,	201	410 56	Russian River,	75	153 19
Stockton,	317	647 49	Mendocino,	45	91 92
SHASTA.			SUTTER.		
Shasta Township,	163	332 94	Yuba City,	78	159 32
Cotton Wood Do.	73	149 11	TRINITY.		
Pitt River Do.	100	204 26	Weaverville,	42	85 79
SIERRA.			TULARE.		
Downieville,	54	110 30	Visalia,	50	102 13
St. Louis,	35	71 49	King's River,	23	46 98
SISKIYOU.			TUOLUMNE.		
Yreka,	93	189 96	Township, No. 1,	340	694 47
SOLANO.			YOLO		
Benicia,	198	404 43	Cotton Wood,	91	185 87
Green Valley,	72	147 06	Cache Creek,	191	390 10
Suisun,	181	369 70	YUBA.		
Vacaville,	123	251 24	Marysville,	295	602 56
SONOMA AND			Long Bar,	69	140 94
MENDOCINO.			Total,	18,647	\$38,087 62
Petaluma,	227	463 66			
Annally,	210	428 94			

The apportionment approved.

JOHN BIGLER, Pres't Board of Education.

S. H. MARLETTE, Surveyor General.

PAUL K. HUBBS, Supt. of Public Inst'n.

NOTE.—The above named amounts are subject to the call of the County Treasurer on his receipting to this Department for warrants on the State Treasury for the same. Warrants with the blank receipts accompany this circular, to be signed and mailed back at once, when the State Treasurer will be advised to pay. Each Township is a "School District" in the meaning of the law. The County Superintendent will see that the Commissioners for the Township (not for a school) have been duly elected and qualified, and then, upon their certifying in favor of the teachers to whom due, draw his warrant on the County Treasurer for payment, designating whether on County or on State Fund. So, also, each city or incorporated town, *when they have made the legal provisions for school purposes*, are a separate and distinct district, to whom the County Superintendent draws his order on the County Treasurer for the payment of their *pro rata* of State and County Funds, to be used by the city authorities in accordance with law. Where, however, subsequent to this apportionment, there is changed any Township, or a Township has a city or incorporated town established within its limits, the territory whose children are counted in the apportionment, is entitled to the *pro rata* of the State and County Fund, under direction of the Township Commissioners, of the Township where the school is.

The establishment and conducting, according to law, of one school in a Township, entitles the Township to the *pro rata* for all the children of the Township; but it does not permit other schools in the Township conducted not according to the law in relation to Common Schools, to receive any portion of the fund, State or County. It may be the fault of the Commissioners themselves, but they must not certify to payment of illy managed schools, or if they do certify within the knowledge of the County Superintendent, he must not confirm their improper action. The Commissioner that permits a bad school, when a good one can be had, wrongs the community.

The moneys drawn under this apportionment, are to be paid out first for services of teachers prior to the 31st October, 1854; if any surplus remain it is to be used for the present year. Should the Legislature sanction the proposition, it is probable that a sum nearly equal, (the Treasurer thinks a much larger sum) will be apportioned on the first of July next, to pay in part for services of teachers now employed. Proper legislation will, doubtless, in the coming year, place the schools, as they should be, in good financial condition.

PAUL K. HUBBS,
Superintendent of Public Instruction.

DEPARTMENT OF PUBLIC INSTRUCTION, }
Benicia, 31st December, 1854. }

Document No. 5.

IN ASSEMBLY.]

[SESSION 1855.

ANNUAL REPORT

OF THE

SURVEYOR. GENERAL

OF THE

STATE OF CALIFORNIA.

[B. B. REDDING, STATE PRINTER.

1911-12-13

1911-12-13

1911-12-13

REPORT.

SURVEYOR GENERAL'S OFFICE,
Sacramento, December 15, 1854. }

TO HIS EXCELLENCY JOHN BIGLER,
Governor of California :

Sir :—

In compliance with “ An Act concerning the office of Surveyor General,” I respectfully submit the following report :

THE NORTHERN BOUNDARY SURVEY.

The Legislature of this State, near the close of the last session, appropriated three thousand five hundred dollars for the survey of the portion of the Northern Boundary of the State lying between the coast and Pilot Knob, a sum by no means adequate to an “ accurate and complete survey survey by astronomical observations, and linear surveys,” as required by the “ Act concerning the office of Surveyor General,” insufficient, in fact, to have placed the instruments requisite for such a survey upon the ground.

As it was impracticable, under existing laws, for the Surveyor General to even visit the scene of operations, it was important to secure the services of a competent, energetic and trustworthy man, to place in charge of the expedition.

With this view I communicated, personally or by letter, with no less than nine Surveyors and Engineers, of whom two, at least, had been engaged in similar surveys, and all of whom were known to me personally or by reputation.

Nearly all declined the position, some questioning their competency, others in consequence of the smallness of the appropriation.

Mr. T. P. Robinson, County Surveyor of Klamath, after some hesitation, accepted. For the instructions issued to Mr. Robinson, and for his report. I respectfully refer to appendix A.

In the appendix to his report may be found a statement of the expenses of the survey. The statement shows bills to the amount in scrip of \$4,874 95.

This sum multiplied by 72½ cents, which is about the average price realized for the scrip, gives \$3,534 37 as the cash expenditure, or but \$34 37 more than the appropriation.

Total of bills in scrip,	-	-	-	-	-	-	\$4,874 95
Deduct appropriation,	-	-	-	-	-	-	3,500 00
							<hr/>
Deficiency which is due Mr. Robinson,	-	-	-	-	-	-	1,374 85
Mr. Robinson rendered two and one half month's service at \$500							
per month,	-	-	-	-	-	-	\$1,250 00
Paid necessary expenses from private funds,	-	-	-	-	-	-	282 33
							<hr/>
Total,	-	-	-	-	-	-	1,532 33
Deduct Controller's warrant for balance of appropriation issued to							
Mr. R. on settlement,	-	-	-	-	-	-	\$ 157 38
							<hr/>
Leaving amount due Mr. Robison, as above,	-	-	-	-	-	-	1,374 95

It was intended to keep the expenditure within the limits of the appropriation, but, at the departure of Mr. R. from San Francisco, it was supposed that scrip would be worth ninety-five cents by the time of the completion of the survey.

I would here express the opinion that Mr. Robinson has faithfully performed the duties assigned him, and would therefore respectfully recommend that he be immediately paid the amount to which he is justly entitled.

Mr. Robinson was assisted by Messrs. Van Cleft and Thompson, Civil Engineers, at small salaries.

Mr. Thompson has a map of the country adjoining the line, in progress, which I will transmit as soon as received, trusting that he may be reasonably remunerated for the same, as it will undoubtedly exhibit much valuable information in regard to the topographical features of that region.

I take pleasure in calling attention to the fact that Messrs. L. G. Chapman and James Van Dyke generously volunteered their services on the survey, and Mr. R. informs me they were inferior to none of the party in efficiency.

COUNTY BOUNDARIES.

During the year I have been requested frequently to survey County boundaries but with these requests I could not comply for the want of an appropriation.

The County of Stanislaus was created, by Act of the last Legislature, and the boundary between it and Tuolumne ordered to be run by the County Surveyors of the two Counties. The initial point was the "corner of Calaveras and San Joaquin Counties on the Stanislaus."

This corner had been established by Mr. Whiting, County Surveyor of San Joaquin, and myself as County Surveyor of Calaveras. It was the result of a compromise proposed by Mr. Whiting and accepted by myself, agreed to by the Commissioners and assented to by the Courts of Sessions of both Counties, and should, therefore, have been considered as established.

It appears by the returns, however, that it was not considered so by either Surveyor, and it appears that they could not agree with each other, but ran independent lines. The "Act dividing the State into Counties, and establishing the Seats of Justice therein," and one or more of the acts supplementary thereto, are not quite so clearly expressed as to render a difference of opinion entirely unnecessary on some points. It is unnecessary, however, to say anything further upon this subject in this report.

It may be advisable to declare one of the lines as run to be official, at the same time I submit that in view of the many similar cases of disagreement which may occur in like manner, that one Surveyor, disinterested or subject to the order of the Surveyor General, will survey boundary lines more economically than two who are interested and independent of such order.

I would recommend, when practicable, the substitution of natural for artificial boundaries, and where this is impracticable, I would recommend, as far as it can be done, the adoption of lines of the United States Surveys.

A reference to the reports of County Surveyors will show the necessity of having many of the boundaries run during the coming year. But, independent of this, the necessity of obtaining data for an accurate map of the State, would justify considerable expenditure.

I would, therefore, recommend that twenty thousand dollars be appropriated to be expended in such surveys during the year 1855.

MAP OF THE STATE.

The official map of California is comparatively worthless in consequence of its great inaccuracy. This fact is established by the almost unanimous testimony of County Surveyors and others, so far as I am in possession of their evidence.

Of the great necessity of having an accurate map I consider it superfluous to speak, and will only refer to some pertinent remarks in the communications of Geo. H. Goddard, Civil Engineer, in appendix F.

For a complete map, a survey of the State boundaries would be necessary, and to accomplish this I would recommend that Congress be requested to make an appropriation.

A survey of County boundaries is also necessary, but this is sufficiently discussed in another part of this report.

Under the head of "County Roads" I have made some suggestions, which, if acted upon, will tend greatly towards furnishing an accurate map.

A competent draftsman should be constantly employed in this office, in compiling from all reliable data now possessed, and what may be hereafter obtained, a map worthy to be stamped "official."

I therefore recommend an appropriation for this purpose.

COUNTY ROADS.

A good common road system is certainly not one of the least desirable objects to be attained by judicious legislation, and being of the opinion that this State is not now in the possession of such a system, I am induced to submit respectfully the following remarks:

The attempt to construct roads wholly by a poll-tax of labor, is inexpedient and unjust, and in this and other States has resulted in miserable failures. It is a system that would impoverish any man or company of men, if persevered in, and cannot be the proper one for a State.

I recommend that it be abolished and a poll-tax of money substituted, and as the value of property is increased by improving roads, I would also recommend a property tax, to raise a fund to be expended wholly in laying out and constructing roads and bridges.

Roads should be laid out in all cases by skillful Civil Engineers, and not by them without a survey embracing the taking of levels, as well as the courses and distances.

No man is competent to select the best possible route for a common road, without the use of a leveling instrument of some kind, for a change of grade so slight as scarcely to be perceived by the unaided eye, may increase or diminish the force of traction fifty per cent. .

I would, therefore, recommend that none but Civil Engineers be eligible to the office of County Surveyor after the expiration of the term of office of present incumbents,

The County Surveyor and Engineer should lay out all new roads, make maps and profiles of the same, also plans for bridges, etc., and an estimate of the cost of construction, all of which, together with the actual cost by items after construction, and estimate of amount of traffic, should be forwarded to this office.

The maps, made on some convenient scale, designated by the Surveyor General to secure uniformity, should embrace the topography of as much of the surrounding country as circumstances would permit. From data thus obtained and those to be obtained from the surveys of County boundaries, also from the United States surveys and other sources, an accurate map of the State could be compiled at no very distant day. In furtherance of this object, as well as with a view to the improvement of the routes, all the roads in the county should be surveyed as soon as practicable.

The County Surveyor and Engineer should have the general supervision of the roads in the County, and should, as early as practicable, make out an apportionment of the Road Fund on a proper basis, reserving a part of said fund for contingencies, which apportionment should be submitted for the approval of the Board of Supervisors or Court of Sessions, as the case may be.

The Surveyor and Engineer, after his plans and apportionment shall have been approved, should proceed as soon as practicable, under proper restrictions, to effect the proposed improvements.

Works involving considerable expenditure might be most economically constructed under the contract system. In all cases the works should be constructed in accordance with the specifications, and to the acceptance of the Engineer.

The compensation should be such as to induce skillful Engineers to desire the office of County Surveyor and Engineer, and none should be required to render services without a fair remuneration; for it is in vain for a State or County to expect the services of competent and honest men at rates far below those which may be obtained from individuals.

Feeling confident that the above proposed system would be a great improvement upon the present one, the only argument in favor of which, so far as I am aware, is that it has been very extensively adopted, but never with good results, I present the same anxiously hoping it may be adopted.

THE CALIFORNIA AND MISSOURI MAIL STAGE ROAD, AND THE ATLANTIC AND PACIFIC RAILROAD.

As sufficient time and money have been already expended in discussing the question of the practicability of the Atlantic and Pacific Railroad, to have decided the question in the affirmative by constructing it, I shall say nothing upon this point. Nor need I speak of its great necessity, for all that I could say would not make this more apparent than it is already.

I would respectfully recommend that an appropriation be made for the purpose of locating and constructing the portion or portions of the proposed Cali-

ifornia and Missouri Stage Road, lying between some point or points in the great central valley of this State, and its eastern boundary.

This I believe to be the most judicious manner in which the State can aid in establishing communication by a line of stages with the Atlantic States.

Besides the surveys necessary for the location of this road, others should be made sufficient to determine the practicability of the proposed routes within this State for the Atlantic and Pacific Railroad.

If this be done by the State and should be met by corresponding action by the General Government, we may expect soon to see the Stage Road in operation, and know something in regard to the practicability of the Railroad.

From what is now known, and what will be made public during the present session of Congress, it will not be difficult to decide what routes should be surveyed.

I would recommend that in connection with these surveys, the position of Carson Valley in regard to the State line, should be accurately determined.

It is very desirable that further information be obtained concerning the amount of snow that may be encountered in the most practicable passes of the Sierra Nevada.

I am under considerable obligations to Geo. H. Goddard, Civil Engineer, and to Dr. O. M. Wozencraft, for information upon these subjects, kindly furnished by them. Their communications constitute a portion of appendix F.

Judge Campbell's prospectus of "The Plains and California," may also be found in appendix F.

From the importance of the project and the well known character of the man we may not only desire but also anticipate important results.

For some important information on these subjects, I would refer to the reports of some of the County Surveyors. The remarks of Silas Wilcox, County Surveyor of Stanislaus, in regard to the navigation of the San Joaquin are well worthy of attention, and it may be worth while to ascertain what are the facilities for navigation beyond the point he has mentioned.

For the surveys recommended, and the construction of the Stage Road within this State, I recommend an appropriation of one hundred thousand dollars.

Much important information and many valuable suggestions will probably be found in the forthcoming report of a committee recently appointed in San Francisco, to obtain and report upon information relating to this subject, which will render any omissions unimportant.

RAILROAD AND WAGON ROAD COMPANIES.

To facilitate the construction of a correct map of the State, I would recommend that Railroad and Wagon Road Companies be required to send to this office maps of their respective roads, made on such scale as the Surveyor General may designate, which shall exhibit accurately the topography of the adjoining country.

I would also recommend that Rail Road Corporations be required to report to this office, as in the State of New York, the amount of stock, debts, cost of construction and equipments, the amount of business both passenger and freight; cost of maintenance of road-way, of repairs of machinery, of operating, their earnings, receipts and payments; number, kind and cause of accidents; and all other useful information which the State may with propriety demand.

Analogous requirements, varied to suit the nature of the cases, might be made of Wagon Road Telegraph Companies.

THE SEPARATION OF AGRICULTURAL AND MINERAL LANDS.

It is believed that an early separation of the Agricultural from the Mineral Lands, and such modification of the pre-emption laws as would make them applicable to the agricultural lands in the mineral regions, would conduce to the increased prosperity of both miners and agriculturists in those regions.

I would recommend a memorial to Congress upon the subject.

STATE LANDS.

According to the Report of the Commissioner of the General Land Office, of November 30, 1853, the area of this State, exclusive of water surface, is 188,981 square miles, or 120,947,840 acres.

There have been donated to this State by Act of Congress 6,719,324 acres, consisting of the 16th and 36th sections, for the support of Schools; also, two Townships, or 46,080 acres for Universities, which amounts, together with the 500,000 acres granted to the State for Internal Improvements—but by our Constitution devoted to the cause of Education—constitute the sum of 7,265,404 acres of land, from which, if judiciously selected and disposed of, California may derive a magnificent fund for the education of her children.

Under "An Act to provide for the disposal of the 500,000 acres of land granted to this State" for "Internal Improvements," there have been issued from the Controller's office 808 Warrants, for 160 acres each, and 321 Warrants for 320 acres each, making a total of 232,000 acres, and leaving, unsold, Warrants for 268,000 acres.

From the 7,265,404 acres of "School Lands" of California, deduct the 232,000 acres for which Warrants have been sold, and we have still, to be selected and disposed of by the State for educational purposes, 7,033,404 acres.

In the Appendix may be found an "Abstract of School Land Warrant Returns," from which there appears to have been located and recorded, prior to January 1, 1854, 114,080 acres.

From the above must be deducted for "informal returns" of 160 acre Warrants, 2,720 acres. For 160 acre Warrants returned twice, 2,400 acres. For 320 acre Warrants returned twice, 1,280 acres; and for Warrants "floated" prior to Jan. 1, 1854, the returns of which have been received since that time, 1,280 acres, making a total of 7,680 acres; leaving, as properly located and recorded in this office prior to January 1, 1854, 106,400 acres.

Since January 1, 1854, returns have been received for 32,160 acres, of which number, 160 acre Warrants for 10,240 acres were returned twice, or "informal," which, being deducted, leaves as properly located and returned during the year 1854, Warrants for 16,480 acres, to which sum add amount previously located, (106,400 acres) and we have, as properly located and returned under the Act, 122,880 acres.

My predecessor, in his Annual Reports, urged the adoption of measures to prevent fraudulent locations of School Land Warrants. I respectfully renew the recommendation, and, for an argument in favor of the same, beg leave to refer to the "Abstract" and "Notes" in the Appendix.

There are instances in which an individual has located Warrants for several thousand acres. I would recommend such a modification of the law as will prevent this species of monopoly for the future.

Whenever the 16th and 36th sections shall have been taken up, previous to their survey by the General Government, and when they shall fall upon mineral lands, the State must look elsewhere for an equivalent.

Upon the best lands in the State the settlers are far in advance of the Surveyors, and are likely to continue so for some time to come ; and it is clearly apparent that unless judicious measures shall be adopted by the ensuing Legislature for the selection of these lands, so far as it can be done under existing laws of the United States, and unless Congress be effectually requested to modify the laws in relation to the subject, California will be a great sufferer, and the apparently munificent donation of the General Government will prove to be in reality comparatively worthless.

Under existing laws the General Government may "keep the word of promise to the ear," but will inevitably "break it to the hope."

Nor are the laws much better adapted to the wants of the settler ; but, as I have on this point, to a great extent, been anticipated by William L. Dewitt, Esq., County Surveyor of Sacramento, in his Report, which may be found in the Appendix, which I herewith transmit, I respectfully refer to the same, as containing many very important suggestions upon this and other subjects, in all of which I fully concur.

I would also call attention to some valuable suggestions in the Report of William J. Lewis, Esq., County Surveyor of Santa Clara.

There have been granted to this State by Act of Congress, for the erection of Public Buildings, ten sections, or 6,400 acres of land.

Congress has also granted to this State the "swamp and overflowed lands," and lands "subject to overflow" at certain seasons of the year.

In the absence of reliable data, I estimate those lands at not less than 5,000,000 acres, which, added to the other lands belonging to the State, make an aggregate of more than 12,000,000 acres, or one tenth of the whole area of the State, exclusive of water surface.

On the very important subject of the State Lands, information of value may be found in several Reports of County Surveyors, particularly in that of Mr. H. Patton, County Surveyor of Solano ; and I would especially recommend, as worthy of consideration, his statement concerning the swamp and overflowed lands, and the facility with which a large and valuable part can be reclaimed. Mr. P. has been at great pains to obtain information, which he has embodied in a map of Solano County, as may be seen by reference to a letter attached to his Report, for which he desires \$200. I am of the opinion that Mr. Patton has earned the \$200, and that the results of his labors are well worth the price he asks, and would therefore recommend the purchase of the map as both politic and just.

I have made as comprehensive an abstract of County Surveyors' and Assessors' Reports as the circumstances would permit, which constitutes App. "D."

By an examination of the Circular to County Surveyors, dated June 1, 1854, will be seen the kind of information which I have endeavored to obtain, to present in my Report. Two copies of this Circular have been sent to each County Surveyor in the State, and to some of them, several. The same remarks are, to some extent, applicable to County Assessors and their Circular.

To the County Surveyors of those Counties in which are swamp and overflowed lands, to any great extent, I have also written, using such arguments as presented themselves, to induce them to send in all the information which they could obtain concerning these lands.

The best of all inducements, and one which I sincerely hope may be provided hereafter, viz., reasonable pecuniary remuneration for all services required, was not at my disposal.

My predecessor, in his last Report, states :

"The number of Reports sent in is conclusive, that parties will not work

without pay ; and therefore the law is entirely in-operative, and had better be repealed or properly amended."

He had received but "three from County Surveyors and two from County Assessors."

Being warned by this statement, in accordance with the example of my predecessor, who had been favored by Mr. King, former U. S. Surveyor General, with a full statement of the then condition of the Government Surveys, I wrote to the present U. S. Surveyor General, on the 7th of November last, stating that I desired to "place such information before the Legislature that proper action might be taken to secure to California the lands to which she is entitled."

I expressed a desire to obtain a "map which should exhibit the condition of the United States Surveys at its date, and the character and topography of the country embraced by said Surveys ; also, what is townshipped and what is sectioned, as well as what progress will probably be made during the year 1855 ;" also, that it might "indicate the swamp and overflowed lands," and the "Mexican grants" which have been surveyed.

Having observed that in other States the quantities of land returned as "swamp and overflowed" by the U. S. Deputy Surveyors, differed in some cases by several millions of acres from the amount recommended by the Surveyor General to be donated to the State, which recommendation was based upon evidence presented by the State as to the character of these lands, and having observed also a diversity of interpretations of the law and "instructions" relative to the "swamp and overflowed lands," and supposing this might be the case in this State, and entertaining the opinion that the recommendation of the U. S. Surveyor General would exert great influence on the Department at Washington in deciding what lands should be given to the State, and supposing him to be governed by the same "instructions" as the Surveyors General of other States, I wrote as follows :

"As there appears to be a diversity of opinion among the Surveyors General as to the construction of the law concerning 'swamp and overflowed lands,' and the 'instructions' from the Commissioner of the General Land Office, and as the Legislature will undoubtedly consider it necessary to make provision for having the 'necessary affidavits of County Surveyors and other respectable persons, laid before the U. S. Surveyor General of this State, I would respectfully request from you a statement of what would be sufficient to establish the fact that any subdivision is 'swamp and overflowed land' or 'subject to overflow.'"

I also requested him to "be kind enough, at an early day, to inform me what I can obtain, if anything, and at what expense."

For his reply I respectfully refer to Appendix "F," and can only regret that his Report will not be published in time to be of any service to the Legislature during the ensuing session, as the information desired would greatly facilitate the devising of a plan to hasten the securing of these lands to the State.

It appears desirable that these 12,000,000 acres of land should be secured,—judiciously selected and disposed of. The swamp and overflowed lands should be surveyed and sold, and measures taken for their reclamation. They can be reclaimed most economically by a general system. Data should be collected as soon as practicable, on which to base such a system. I would recommend the creation of a Board of Land Commissioners, (of which the Surveyor General shall be the executive officer,) with full power, under proper restriction, to make all necessary surveys, and to transact all business necessary to secure to California the greatest possible benefit to be derived from an early and judicious selection and disposal of these lands.

I respectfully suggest that the State Board of Education constitute said

Land Board, also that the price of lands should be *graduated*, and that the Surveyor General be authorized to open books for the registry of such lands as persons may be desirous of purchasing from the State.

COUNTY SURVEYORS AND COUNTY ASSESSORS, AND THEIR REPORTS.

I have received reports from but nineteen County Surveyors. My predecessor last year received but three.

LIST OF COUNTY SURVEYORS FROM WHOM REPORTS HAVE BEEN RECEIVED FOR THE YEAR 1854.

H. A. HIGLEY,	County Surveyor of	Alameda.
JOHN C. REID,	"	Calaveras.
WM. HENDERSON,	"	El Dorado.
ALFRED D. EASKOOT,	"	Marin.
O. M. DICKINSON,	"	Mariposa.
E. A. HENNECOURT,	"	Napa.
C. W. FINLEY,	"	Placer.
JOBE S. TAYLOR,	"	Plumas.
WM. L. DEWITT,	"	Sacramento.
A. M. STODDARD,	"	San Bernardino.
J. J. GARDINER,	"	San Francisco.
GEO. E. DREW, Dep.	"	San Joaquin.
WM. J. LEWIS,	"	Santa Clara.
E. C. GILLETTE, Ex.	"	Shasta.
M. H. STONE,	"	Sierra.
W. G. STILL, Dep.	"	"
E. M. STEVENS,	"	Siskiyou.
H. PATTON,	"	Solano.
SILAS WILCOX,	"	Stanislaus.
WM. W. FINNEY,	"	Tuolumne.

Nearly all of the above named reports contain valuable information or suggestions, yet for the labor expended in obtaining this information, County Surveyors are allowed no compensation, which, in my opinion, is neither just nor expedient. It is, therefore, respectfully recommended that the laws be so modified that they may receive reasonable compensation for all services rendered by them; also, that such penalties be affixed as will insure a faithful performance of all their duties.

By special acts, some of the County Surveyors are now provided with offices, while others are not. It is recommended that all be supplied at the expense of the Counties.

I have placed marks along the margin of such portions of the reports as are considered most deserving of notice, and those portions that are considered particularly so, are italicised. I will also name the reports of Wm. L. Dewitt, of Sacramento, Wm. J. Lewis, of Santa Clara, and H. Patton, of Solano; of which all of the first, and some portions of the second, and much of the last, deserve examination.

I respectfully recommend that the County Surveyors be required to make such meteorological observations as the Surveyor General may consider requisite, and keep a record of the same, a copy of which shall be sent to this office.

With such changes in present laws as are recommended, this office may in a

short time, with trifling expense, become a storehouse of information of great value to the people of this State, and of great use to those whose province it is to make our laws.

I have received reports from but eleven County Assessors. Last year my predecessor received but two.

LIST OF COUNTY ASSESSORS FROM WHOM REPORTS HAVE BEEN RECEIVED FOR THE YEAR 1854.

G. W. GOUCHEE,	County Assessor of	Alameda.
H. A. EICHELBERGER,	" "	Amador.
MILES CHAPIN,	" "	Butte.
J. M. JONES,	" "	Contra Costa.
D. D. WILLIAMS,	" "	Humboldt.
A. F. CORONEL,	" "	Los Angeles.
V. J. HERRING,	" "	San Bernardino.
O. C. TERRILL, Dep.	" "	San Joaquin.
S. E. JACK,	" "	Shasta.
FRANCIS M. PROCTOR,	" "	Sierra.
D. P. DIGGS,	" "	Yolo.

I know of no reasonable excuse for a failure on the part of County Assessors to comply with the present laws in regard to the collection of statistics for this office.

I respectfully recommend that it may be made unlawful to audit or settle their accounts until they declare on oath that they have complied in this respect, to the best of their ability, with the statutes.

THE STATE LIBRARY.

It is respectfully requested that the laws may be so amended that the Surveyor General may be allowed to visit and consult the State Library, at all times during proper hours, when his duties may render the same necessary.

It is sometimes necessary to examine laws on subjects extending through several volumes, in which cases it is a slow and tedious process to take the books home in pairs for examination, and may consume hours in the attainment of what might be acquired in as many minutes, if free access to the library were allowed. It may be necessary to consult maps which cannot or should not be taken from the library, yet I know of no way in which this can now be done. •

I am inclined to think it would be a change for the better to place the scientific portion of the library in charge of the Surveyor General, for it has a more natural connection with his office than with any other. It may not be inexpedient to allow him to expend a portion of the Library Fund in purchasing such scientific works as a faithful performance of his duty may render almost indispensable.

Should the suggestion to attach the scientific portion of the library to this office be adopted, I would recommend that it be thrown open to the public, that all who desire to do so may enter and partake freely of its treasures.

The adoption of the last suggestion would be in accordance with the clause of the Constitution requiring the Legislature to "encourage by all suitable means the promotion of intellectual, scientific, moral and agricultural improvement."

THE GEOLOGICAL SURVEY OF THE STATE AND THE CALIFORNIA ACADEMY OF NATURAL SCIENCES.

I trust that I may not be considered as intruding upon the province of another, or traveling out of my own, in calling attention to the above named project and institution.

The geological survey of the State is so vast and important a work, that instead of the labors of an individual, however scientific, it demands the united and untiring efforts of half a score of the ablest scientific men of our country; and it is to be greatly regretted that our State is not in a condition to devote annually a large sum for the continuation of this important survey.

The Academy of Natural Sciences, without pecuniary assistance, and out of pure love for those noble branches of science which have not, until a comparatively recent date, commanded a tithe of the attention which their importance demands, are engaged in researches requiring expenditure of both time and money; and I would recommend such pecuniary encouragement to the society as an enlightened economy may suggest.

THE SURVEYOR GENERAL AND HIS OFFICE.

It is the duty of the Surveyor General, when required by law, to make an "accurate and complete survey by astronomical observations and linear surveys of the boundaries of the State."

It is his duty also to "make an accurate map of the State," and to survey the boundaries of the Counties, incorporated cities and towns of the State.

He is Chief Engineer and Commissioner of Internal Improvements, and it is his duty to present annually, with his report, "plans and suggestions for the improvement of the internal navigation of the State, and for the construction and improvement of roads, turnpikes, railroads, canals and aqueducts; also, plans and suggestions for the planting, preservation and increase of forest trees, for the draining of marshes, prevention of overflows, and the irrigation of arable lands by means of reservoirs, canals, artesian wells or otherwise."

It is his duty to collect the agricultural and other statistics of the State, and to inquire into the cause and cure of any diseases to which its vegetable productions may be subject, and "to perform all such other and further duties as may be prescribed by law."

An efficient performance of all the duties of this office requires an engineer of no ordinary acquirements; it was therefore with no small degree of surprise that the present incumbent heard of his nomination to the office.

His surprise was great on learning the smallness of the salary, it being but about three-fourths that of a Page of the Senate or Assembly, and but a little more than one-fourth that of his predecessors, and equaling in value but little more than half that of the corresponding officer in the State of New York, and about half that paid for three months service of members of the Board of Engineers appointed to examine the grades of the streets in San Francisco.

This surprise was changed to astonishment at the introduction of a bill into the last Legislature, to reduce the salary to one hundred dollars per annum, while several bills for the appointment of agents to perform duties for which the Surveyor General ought to be particularly qualified, were being discussed and advocated by all parties in both houses.

This was well calculated to bring this office into contempt, and may be one reason why so small a number of reports have been sent in by Surveyors and Assessors during the year. Not even an acknowledgement of the receipt

of the circular has been received from the Surveyor of the county, in which the introducer of this one hundred dollar amendment resides.

In conclusion, I beg leave to recommend that such appropriations be made as will enable the Surveyor General to perform his duties with some satisfaction to himself and benefit to the State ; also, that the salary be increased sufficiently, to insure the services hereafter of an able Engineer ; but if it be considered inexpedient to adopt these suggestions, I would then recommend that measures be taken to abolish the office.

It was my intention to have devoted a little time to the Agriculture of California, but having been informed that an elaborate memorial upon this subject, is being prepared by a gentleman of ability and extensive knowledge, which will be presented to the Legislature at an early day, I leave it in abler hands.

All of the foregoing is respectfully submitted.

S. H. MARLETTE,
SURVEYOR GENERAL.

P. S. An article upon the geology of a portion of Calaveras County has been kindly furnished by William Patton Esq.

I am greatly obliged to V. Wackenreuder, Ex. County Surveyor of Santa Barbara, for a very neat map of that county.

NOTE.—Some entire reports, and portions of many others, and several of the communications, as well as the tables, constituting the appendix, are considered as worthy of being printed, and the same is therefore recommended.

S. H. M.

A P P E N D I X .

[A.]

NORTHERN BOUNDARY SURVEY.

INSTRUCTIONS TO T. P. ROBINSON.

SURVEYOR GENERAL'S OFFICE, }
SACRAMENTO, May 10, 1854. }

T. P. ROBINSON, Esq.,
County Surveyor of Klamath County.

Sir :

You are hereby authorized to proceed, without delay, to San Francisco, to procure the instruments necessary for the running and marking of that portion of the Northern Boundary of this State, lying between the Coast and Pilot Knob, or so much of it as the appropriation (\$3,500) will allow.

I would call your attention to "An Act concerning the office of Surveyor General," by which you will be governed in your operations.

You will cause to be erected, permanent and plainly visible monuments, as often as you may think necessary, in order that the line may be readily traced.

You will fix, with great care, your Initial Point, and, if possible, complete the survey before the first of August, as the law requires.*

You will keep a Journal of your proceedings, and, in your Report, give as correct a description of your operations, and of the country which you traverse, as the circumstances will allow.

You will have the Topography of the country as extensively taken as may be practicable, without delaying too much the progress of the survey.

You will also have observations taken, to determine the positions of the

*The bill, when shown to me, required the survey to be completed by the first of August, but was afterwards changed to the first of September, without my knowledge. Shortly after my return from San Francisco, whither I had gone to assist Mr. R. in making arrangements for the expedition, I obtained a copy of the act, and forwarded it to him at Crescent City.

various mountains in California, of which you may obtain a sight, during the survey ; in short, you will obtain, and furnish to this office, every fact which may be of value to the State.

I am, very respectfully,
Your obedient servant,

S. H. MARLETTE,
Surveyor General.

SAN FRANCISCO, May 23, 1854.

Sir :

You will be assisted, on the Northern Boundary Survey, by Mr. George H. Van Cleft and Mr. A. W. Thompson, Civil Engineers. What other assistance you require, you informed me you will be able to obtain in Klamath County. You will please report to me, at Sacramento, as often as you can, conveniently, the progress you shall have made, from time to time, in the survey. You will, of course, have *full charge* of the whole operations, and will be held responsible for the same.

I am, very respectfully,
Your obedient servant,

S. H. MARLETTE,
Surveyor General.

T. P. ROBINSON, Esq.,
County Surveyor of Klamath County.

REPORT ON NORTHERN BOUNDARY SURVEY.

SACRAMENTO CITY, July 30, 1854.

Sir :

Having been duly appointed by you as Deputy Surveyor of a portion of the Northern Boundary of the State of California, I beg leave to submit the following Report :

Pursuant to your instructions, dated at Sacramento, May 10th, 1854, I proceeded to San Francisco and procured such instruments as were deemed necessary for the execution of the work.

An Aneroid Barometer, a Chronometer and an ordinary Field Transit Instrument, were purchased. The gratuitous use of a valuable Sextant, was tendered to and, of course, accepted by me, by P. W. Shephard, Esq., of San Francisco, to whom I am under many obligations.

The above instruments, together with the Theodolite, belonging to your office, and an ordinary Surveyor's Compass, belonging to myself, were all that were deemed necessary to execute the work with sufficient accuracy to accomplish the object for which the survey was ordered.

At first, it was thought that the observations for latitude and longitude would be made with an Astronomical Transit, but, upon reflection, the conclusion was, that the appropriation for the survey was insufficient to allow the purchase of such an instrument, and the expenditure of so great an amount of time as would necessarily be consumed in setting up, adjusting and transporting it.

Being thus supplied with instruments, on the 22d of the same month, I left San Francisco, accompanied by Messrs. A. W. Thompson and G. H. Van Cleft, Civil Engineers, the two assistants, whom you had employed, and arrived in Crescent City on the 26th.

The 27th, 28th and 29th, were spent in adjusting instruments, employing subordinates and collecting and arranging camp equipage.

Owing to the wild state of the country over which the survey was to be made, and the known hostility of the Indian tribes along the line, I was obliged to make the party nearly twice as large as otherwise there would have been any necessity of; the whole party numbering twelve, the names of whom I will append to this Report.

In order to have some check upon our observations, in determining the initial point of the Boundary, I thought it expedient to connect the work with the geographical position, established at Crescent City by the astronomical party attached to the United States Coast Survey. Accordingly, on the evening of the 29th of May, I commenced the field operations of this survey, beginning at the monument at Crescent City, erected by the United States Coast Survey, the latitude and longitude of which, had been kindly furnished us by Captain Alden, of the Active.

On the first of June, this survey was terminated, and I immediately commenced my observations for latitude and magnetic variation. This work occupied a principal portion of the time up to the 6th. Several sets of observations were made, both with the natural and artificial horizons, the extreme results differing 19 seconds of a degree, the mean of which I used as the data from which to establish the initial point of the boundary.

The mean of four sets of observations for magnetic variations, by azimuth and amplitude, was assumed as the true data upon which to commence the survey.

The results of these observations, together with those made at the different positions along the line, I will append in a tabular form.

Having thus arrived at a satisfactory conclusion, with regard to the initial point of the boundary, on the 6th of June, I plainly and permanently established the first position of the survey, and started into the interior at right angles to the meridian of the place of beginning. This line I have produced to the terminus of the survey, and, therefore, the boundary, as marked upon the ground, is not the 42d parallel, but an arc of a great circle, at right angles to the meridian of the first position, and, consequently, diverging from the parallel and approaching the equator.

The departure from the parallel, at each position of the survey, I have calculated, and will attach, among other appendices.

Owing to the rugged and broken character of the country over which this line passes, to have undertaken to trace these offsets upon the ground, and, thereby, have established, absolutely, the 42d parallel, would have cost more time and labor than the small amount of money appropriated for this survey would allow, and would have defeated entirely the evident object of the act, by which the work was ordered.

The first thirty miles of the line was very laborious, and occupied all the time from the 6th to the 19th of the month, making an average of nearly two and one-third miles per day. On this portion of the line eight positions have been established, being on the summit of all the principal ridges and peaks over which the line passes, and which are permanently and plainly marked, so that they can be easily found and readily recognized.

This portion of the country is broken into deep and rugged canons by the sources of Winchuck river, which empties into the sea a little south of the Boundary, and the North Fork and its sources, of Smith's river.

There is no uniformity, nor regularity to any of the mountain ranges within this limit. It seems as if nature had accidentally dropped these rocks and mountains here, without form and without design.

A great portion of this country and, more particularly, that contained within the sources of the Winchuck river, was once covered with a very heavy growth of white cedar timber, which has been swept down by fire and tornado, and now lies in heaps upon the ground, which, together with the broken contour of its surface and the half burnt manzanita and live oak brush stubble, renders it almost impassible and entirely uninhabitable.

The laborious part of this survey occupied so much more time than was anticipated, that my time for astronomical observations was somewhat limited along the route.

The scarcity of provisions for the party and grass for our pack animals urged us forward, towards the settlements, with all possible despatch.

The 8th position is on or near the summit of the divide, between the waters of the Illinois and Smith's rivers, along which the trail from Crescent City to Sailor Diggings passes. Having supplied ourselves with an ample store of provisions, we remained here during the 20th, and made observations for latitude and longitude, in order to test the instrumental work of the line up to this point, Finding a difference of only a sixteenth of a mile, I concluded that the work was right, and, on the morning of the 21st, commenced pushing the line on towards the summit of the Siskiyou.

The distance from station 8 to the terminus of the survey, is nearly twenty miles; the line making over a broken and abrupt surface diagonally along the north-western slope of the Siskiyou and crossing all the small sources of the Illinois river, which is a tributary of Rogue river.

On the 26th we reached the summit of the Siskiyou. Here, having passed the Sailor Diggings and Althouse country, which has been so long in dispute, and determined it to be within the territory of Oregon, as well as having exhausted the appropriation for this work, I concluded to close the survey.

The line, if produced, would run diagonally along the southern and eastern slope of the Siskiyou, and would cross the Klamath river within about thirty miles from this point.

Full and copious notes have been kept along the line, of the longitude of the different streams and mountain ranges, their height above the level of the sea, and the changes in the magnetic variation.

I have taken accurate cross bearings, at different positions, on all the prin-

incipal mountain peaks within the distance of twenty miles, north and south of the line.

A complete sketch of the topography of the country has been made by Mr. Thompson, containing material enough for an accurate and interesting map of the entire country embraced within these limits.

Having thus concluded to make this the terminus of the survey, I made, with great care, observations for latitude and longitude, and, on the 27th of the month, established the 11th and last position on the line, being on the summit of the Siskiyou, at the extreme head of Althouse creek, on the north, and Indian creek, on the south, and commenced returning to Crescent City.

Eleven positions, in all, have been established upon the line; for a more accurate description of which, I refer you to my field book, which I send you as material for your office, which contains all the notes of the survey, a manuscript of my calculations and a journal of the daily proceedings of the party.

On the 30th of the month, we arrived at Crescent City, having remained a portion of one day at Waldo Springs, for the purpose of observations for latitude and longitude, and, on the morning of the 1st of July, the subordinates were all discharged.

On the 4th of July, I arrived in San Francisco, together with Messrs. Thompson and Van Cleft, and, on the morning of the 6th, we reported ourselves at your office, in this city.

Since that, a considerable portion of my time has been occupied in working up and transcribing notes and making out the appended summary.

This, together with my field notes, I beg leave, most respectfully, to submit.

I am, Sir,
Your most ob't serv't,

THADDEUS P. ROBINSON,
Deputy Surveyor.

S. H. MARLETTE, Esq.,
State Surveyor General,
Sacramento City, Cal.

P. S. I omitted to state, in my report, that two of the party, Messrs. L. G. Chapman and James Van Dyke, kindly volunteered their services, as assistants in the survey, for which I take this means of expressing my most hearty thanks.

T. P. R.

APPENDIX TO REPORT OF NORTHERN BOUNDARY SURVEY.

NAMES OF THE SURVEYING PARTY.

A. W. THOMPSON, C. E., Assistant.
 G. H. VAN CLEFT, C. E., do.
 JAMES VAN DYKE, Volunteer.
 L. G. CHAPMAN, do.
 W. T. WOOD, Subordinate.
 A. G. McCANDLESS, do.
 JOSEPH VAIL, do.
 J. W. KETCHUM, do.
 ROBERT McELROY, do.
 COLEMAN H. COLLIER, do.
 THOMAS McCLAIN, do.

Table showing positions established, and offsets from the line run, to the true boundary or parallel of 42° N.: Calculated by A. W. THOMPSON, C. E.

NOTE. The line run is too far south by the amounts set opposite the "Positions."

Positions.	Longitude West from Greenwich.			Longitude East from Initial Point.			Offsets in Feet.	Height above Sea in Feet.
	Deg.	Min.	Sec.	Deg.	Min.	Sec.		
1	124	12	0	0	0	0		75
2	124	8	30	0	3	30	5.39	1780
3	124	0	0	0	12	0	63.37	1620
4	123	59	0	0	13	0	74.38	2112
5	123	48	58 5	0	23	1 5	233.49	2730
6	123	41	58	0	30	2	396.98	1860
7	123	38	56	0	33	4	481.22	2730
8	123	36	30	0	35	30	554.65	2943
9	123	13	37	0	58	23	1500.17	1803
10	123	11	7 8	1	0	52 2	1630.45	4497
11	123	10	7	1	1	53	1684.52	3789

NOTE. The above "offsets" are only approximate, but are sufficiently accurate for present purposes.

S. H. M.

MISCELLANEOUS NOTES.

			FEET.
Height above the level of the sea of Chapman's Peak.....			5,635.8
Do.	do.	Carn's Ranch.....	3,100.8
Do.	do.	Cold Springs.....	3,051.8
Do.	do.	Forks of Smith's River.....	611.4
Do.	do.	Bar at foot of Hardscrabble.....	585.4
Do.	do.	Top of Hardscrabble.....	2,019.6
Do.	do.	Myrtle Creek House.....	1,273.8
Do.	do.	Smith's River Ferry.....	281.4
Do.	do.	Waldo Springs.....	1,384.2

Table showing the results of observations made at some of the Camps along the line.

NAMES OF PLACES.		LATITUDES.	LONGITUDES	MAG. VARIATION
		d. m. s.	d. m. s.	d. m.
Mouth of Winchuck River,				16 44 E.
	June 3d,	41 59 47		16 10 E.
" "	June 4th,	41 59 28		16 23 E.
				16 31 E.
North Fork of Smith's River,				
	June 16th,		124 0 55.8	
Laurel Camp,				
	June 18th,		123 58 28.5	
Shelby House,				
	June 20th,	41 58 50	123 37 36	
Summit of Siskiyou, - - -	- - -	41 59 17	123 11 22.8	12 40 W.
Waldo Springs, - - -	- - -	42 6 31	123 18 39.75	

EXPENDITURE ON NORTHERN BOUNDARY SURVEY.

T. P. Robinson's services 2½ months, at \$500.....	\$1,250 00	
Necessary expenses.....	282 33	
		<hr/>
		\$1,532 33
Geo. H. Van Cleft's services 1½ months, as agreed.....	\$416 67	
Necessary expenses.....	202 78	
		<hr/>
		619 45
A. W. Thompson's services 1½ months, as agreed.....	\$428 55	
Necessary expenses.....	278 93	
		<hr/>
		704 48
W. T. Wood's services 35 days.....	178 57	
Joseph Vail's services 31 days.....	148 57	
J. W. Ketchum's services 31 days.....	148 57	
A. J. McCandless' services 31 days.....	148 57	
Robert McElroy's services 31 days.....	148 57	
Coleman H. Collier's services 31 days.....	148 57	
Thomas McClain's services 31 days.....	148 57	
James Van Dyke's services 31 days, }	Volunteered services.	
L. G. Chapman's services 31 days, }		
All other expenses.....		945 70
		<hr/>
Total.....		\$4,874 95
Deduct appropriation.....		3,500 00
		<hr/>
Balance and amount due Mr. T. P. Robinson.....		\$1,374 95

[B.]

CIRCULAR TO COUNTY SURVEYORS.

SURVEYOR GENERAL'S OFFICE, }
SACRAMENTO, JUNE 1, 1854. }

Sir :

Allow me, respectfully, to call your attention to the following extracts from the laws defining the duties of your office, in connection with that of the Surveyor General :

1st. From "An Act concerning the office of Surveyor General, passed April 17, 1850."

"SEC. 9. He shall deliver to the Governor annually, on or before the fifteenth of December, his Report, which shall contain :

"1st. An accurate statement of the progress he may have made in the execution of the Surveys enjoined on him by law, and in the preparation of the Map of the State.

"2d. Plans and suggestions for the improvement of the internal navigation of the State, and for the construction and improvement of roads, turnpikes, railroads, canals and aqueducts ; also, plans and suggestions for the planting, preservation and increase of forests of timber trees, for the draining of marshes, prevention of overflows, and the irrigation of arable lands, by means of reservoirs, canals, artesian wells, or otherwise.

"3d. An estimate of the aggregate quantity of land belonging to the State, and the best information he may be able to obtain as to the characteristics of the same.

"4th. An estimate of the aggregate quantity of all lands used for, or adapted to tillage and grazing within this State, and each county of the State, together with a description of the locations in which the same may be situated.

"5th. An estimate of the aggregate number of horses, cattle, sheep and swine within the State, and each county of the State.

"6th. An estimate of the aggregate quantity of wheat, rye, maize, potatoes, grapes, and other agricultural productions of the preceding year, together with his views as to the presence, cause and remedy of any diseases, or other mischief, preventing a full and proportionate return and increase of the same.

"7th. An estimate of all mineral lands within the State, and each county of the State, and the quantity and value of each mineral produced during the preceding year, together with a description of the localities in which such minerals may be found.

"8th. All facts which may be within his personal knowledge, or which he may learn from reliable sources, and which may, in his opinion, be calculated to promote the full development of the resources of the State.

SEC. 10. He shall address a circular letter to the County Surveyors and County Assessors, instructing them, and it is hereby made a part of their official duties, to use their utmost diligence in collecting information, relative to each and every matter mentioned in the ninth section of this Act, and to transmit to him quarterly, at the seat of Government, a report in writing, setting forth the result of their inquiries.

SEC. 11. He shall with his annual report, transmit to the Governor, all reports which he may have received from his deputies, as mentioned in the tenth section of this Act.

"2d. From "an Act prescribing the duties and fixing the compensation of County Surveyors, passed April 9th, 1850."

SEC. 13. Each County Surveyor, immediately after making any survey, except surveys of city or town lots, shall make out a copy of the field notes and plats, and transmit the same to the Surveyor General, indicating plainly upon the plats, at what point of any line, any river, or stream, or any county line is touched or crossed.

When called upon so to do, he shall communicate to the Surveyor General, such information concerning surveys made by him, and other matters connected with the duties of his office, as may be required.

"3d. From "an Act to provide for a Map of the State of California."

SEC. 3. County Surveyors are hereby required to connect all surveys made by them in their respective counties, with, and to some known points, to be determined astronomically, or by connection with the United States Surveys, whenever practicable, under the direction of the Surveyor General, and report the same to the Surveyor General, in accordance with the provisions of the "Act prescribing the duties of County Surveyors, passed April 9th, 1850."

"4th. From "an Act to provide for the disposal of the five hundred thousand acres of land granted to this State by Act of Congress, passed May 3, 1852."

SEC. 12. The County Surveyor of the respective Counties of this State, at the end of every three months from the taking effect of this Act, shall make out, and forward to the office of the Surveyor General of the State, without fee for the same, a duplicate copy of each plat, or survey and certificate of the location of any land warrant made under the provisions of this Act, in their respective counties, and for a failure so to do, shall be liable to a fine of not less than five hundred or more than five thousand dollars, recoverable before any Court of competent jurisdiction, on the complaint of any person or persons in interest."

I would here call your attention to a correspondence between the Commissioner of the General Land Office, and the Register of the Land Office at Benicia, relative to the selection of these 500,000 acres of land.

This correspondence was published in many papers of this State, in December and January last, and forms "appendix D," of the last Report of the late Surveyor General.

I would call your attention to the meaning of the phrase "subject to overflow," as explained by the Commissioner, which you will find in this circular under the head of "Swamp and overflowed Lands."

Lands "subject to overflow," belong to the State, and are therefore not subject to the location of School Land Warrants.

Swamp and overflowed Lands. According to Act of Congress, it is the duty of the Secretary of the Interior, as soon as practicable, "to make out accurate lists and plats of the lands described as swamp and overflowed, and to transmit the same to the Governors of the several States interested, and at the request of the Governor, cause a patent to be issued therefor, and on the patent so issued, the fee simple of said land shall vest in the States, subject to the disposal of the Legislatures thereof."

And "all legal subdivisions, the greater part of which is wet and unfit for cultivation, shall be included in said lists and plats, but when a greater part of a subdivision is not of that character, the whole of it shall be excluded."

The Commissioner of the General Land Office, says that the United States Surveyor General "is authorized to receive such reliable evidence of the character of any of these lands may be presented by the authorities of the State, and as many of the lands were surveyed at dry seasons, and hence are not represented by the descriptive notes or plats as being of that character, I have supposed it a matter

of sufficient importance to induce you to call upon the County Surveyors, or other respectable persons of your State, for statements under oath, in relation to the swamp or overflowed lands in their respective counties. Such testimony will be regarded as establishing the facts in the case, etc."

He also says that "all lands which from being swampy, or *subject to overflow*," are unfit for cultivation, and "all lands, which through the dry part of the year, are *subject to inundation at the planting, growing or harvesting seasons*, so as to destroy the crop, and therefore are unfit for cultivation, taking an average of the seasons for a reasonable number of years as the rule of determination," are to be considered as granted to the State.

I cannot better express my views of the importance to California, of an immediate and proper attention to this subject, than by quoting from the Special Message of Governor BIGLER, of April 17, 1854, upon this subject. He says:

"This is certainly a very liberal construction of this Act, and proper legislation to procure testimony on the subject, will *secure to the State of California millions of acres of the most productive land within the limits of the State.*"

He concludes by saying: "*The subject is commended to your early consideration, as one of vast importance to the interests and prosperity of the people and State of California.*"

THE OFFICIAL MAP OF CALIFORNIA.

I would respectfully request you to compare the "Official Map of the State of California," a copy of which you will find at the Clerk's office of your County, with the portion of the State with which you are the most familiar, particularly with your own County, and furnish me with the results of your comparison.

Should you find it very inaccurate, an estimate of the expense of making a map of your County, of tolerable accuracy, is desired.

COUNTY BOUNDARIES.

An estimate of the probable number of miles of boundary, between your own and adjoining counties, that will require to be run previous to the 1st of January, 1856, is desired—also any suggestions for *improvement* upon the present by substituting natural for artificial, or more direct, for those that are less so, or any other changes with a view to a *better and permanent subdivision of the State*.

I invite your attention particularly to the "2d" sub-section of "Sec. 9" of the "Act concerning the office of Surveyor General."

CONCERNING THE FIVE HUNDRED THOUSAND ACRES OF LAND GRANTED TO THIS STATE—ALSO THOSE GRANTED FOR EDUCATIONAL PURPOSES.

A somewhat particular description of unoccupied public lands, not "subject to overflow," nor "swamp" lands, lying within your county, stating what portion is "townshipped," and what "sectioned," and what unsurveyed by the U. S. Surveyors, also what portions are timbered, together with the estimated value of each portion, and, if possible, a map which will give some notion of the localities of these lands, are very much desired to accompany my Annual Report.

As I have reason to suspect that many School Land Warrant returns have never been received at this office, you will confer a favor by sending as soon as your convenience will allow, a list of the locations in your county, with all the items necessary for filling out the records, and in cases where the Warrants cover lands that have been surveyed by the U. S. Surveyor, you will be so kind as to state what subdivisions are covered by the same.

SWAMP AND OVERFLOWED LANDS

You are desired also to furnish an estimate of the "Swamp and Overflowed Lands" (if there are any) in your county, bearing in mind the full import of the phrase, as explained by the Commissioner of the General Land Office. State, if you can, what portions can be reclaimed at moderate expense, and what, if any, are in your opinion irreclaimable, also what, if any, are covered by Mexican Grants.

State what portions are surveyed by the United States Surveyors, and your opinion of the probability that they will mark, or have marked, all as "swamp and overflowed," or as "subject to overflow," to which California is entitled, and if not, state the number of acres she might lose by inattention to the subject.

Can the necessary information be obtained from "the County Surveyor or other respectable persons" in your county, at a moderate expense, to lay before the U. S. Surveyor General?

I would also request a map, a rough one, if no other can be had, of these lands, also any suggestions which in your opinion will be of use in forming a general system for their reclamation. I will be obliged to you for a list of bridge companies in your county, immediately.

I would urge upon you a careful examination of this Circular, and as strict a compliance with its requirements as you may find possible.

Your last report for this year should reach me by the middle of November next, that I may avail myself of its contents in making out mine, which must be presented by the middle of December.

Please acknowledge the receipt of this immediately, and oblige,

Very respectfully,

Your obedient servant,

S. H. MARLETTE,
Surveyor General.

To ————, Esq., County Surveyor. }
————— County. }

OFFICE OF COUNTY SURVEYOR, }
CLINTON, Alameda County. }

HON. S. H. MARLETTE,
Surveyor General :

Sir :

In obedience to law, and in compliance with your Circular, I have the honor to submit the following report :

I have no data that would facilitate the making of an accurate map of the State. I have applied to the Court of Sessions for the necessary authority and means to run the county boundaries, and make such surveys as would enable me to make a map of the county, but it failed to grant what I asked for.

There is no internal navigation in the county, except upon arms of the bay of San Francisco. The pass through the coast range of mountains, between the bay of San Francisco and the San Joaquin valley, that is found along the waters of the San Lorenzo creek, is admirably adapted to the construction of a railroad, and is probably the only practicable pass, for that purpose, to be found in the mountains that separate these valleys. There is now in the process of construction a shell and turnpike road, leading from the town of Alameda, through the San Lorenzo pass, to Stockton. There is a short plank road leading to the Embarcadero of San Lorenzo. It is the property of the Eden Plank Road Company. There is a toll bridge across an arm of the Bay of San Antonio, between the towns of Clinton and Oakland. This bridge was partly built by Contra Costa County, before the organization of Alameda. The Court of Sessions of Alameda granted the right to H. W. Carpentier, to complete the same and charge toll until such time as the county should see fit to repay him the cost of its construction, with interest at 3 per cent. per month. The county has not yet redeemed it.

There are about 800 square miles of land in the county, the greater portion of which is mountainous, and therefore unfit for cultivation, though much of it is well adapted to grazing.

The bay of San Francisco forms the western boundary of the county, and between it and the mountains, running parallel with, and on an average four miles distant, there is a very fertile and level valley, well watered with mountain streams and springs. This valley contains about 100,000 acres of as fine land as there is in the State of California, and nearly all of it is under cultivation. Other arable land is found in valleys among the mountains, and a small portion of the San Joaquin valley. On the east side of the first range of mountains, there is a large valley, known in some parts as the Livermore, in others as the Amador, and in others again as San Ramon valley, which contains within the county about 50,000 acres of well watered and fair agricultural land, not much under tillage. Other valleys of less note, are also to be found among the mountains.

There are no known mineral lands in the county. There is no overflowed land in the county, except from the tide water of the bay; of this there is about 20,000 acres that has saltwater vegetation growing upon it, and is only overflowed at extremely high tides.

I have examined the official map of the State, and so far as my knowledge extends, there is no material error in it.

Between this county and Santa Clara, and San Joaquin, there are about one hundred miles of boundary that should be established. The points in these lines are mostly natural fixed monuments; but the connecting lines not having been run, confusion and difficulty often arise as to the location of persons and property, in relation to the several counties.

I have reason to believe there is a small portion of land in the San Joaquin valley, unclaimed by grantees of former Governments, but all the other arable land in the county is claimed, with the adjacent hill and mountain land. The greater portion of the mountain land is almost valueless. A part however is well adapted to grazing. The county, generally, is very sparsely timbered. For reasons heretofore assigned, I cannot forward a map of these lands.

The whole county has been townshipped by the U. S. Surveyors, but none of it sectionized. The Mount Diablo meridian passes through Amador valley, enters the Bay valley at the Mission of San Jose, and strikes the said land at the southern extremity of the county.

Respectfully,

Your obedient servant,

H. A. HIGLEY,

County Surveyor.

CLINTON, Alameda County, November 17th, 1854.

HON. S. H. MARLETTE,
Surveyor General:

Sir :

I have the honor to transmit herewith my report, together with duplicate copies of location of land warrants 593 and 619 for 160 acres each, and 164 and 71 for 320 acres each. I came into office at the organization of this county. During my term there has been but one other location of warrants in this county, which was duly forwarded to you. I believe there were two locations in that portion of the county formerly constituting a portion of Santa Clara. These have been floated, as also have been the warrants Nos. 666 and 671, located by me, Sept. 27th, 1853.

I mention the fact in my report, that the boundaries of this county have never been established on the ground; I think this should be done immediately. The Court of Sessions thinks it has not the power to order such a survey. If the authority rests with you, will you depute me to execute the work? I have been collecting data, which will enable me to make a very accurate map of the county, as soon as the boundaries are established—a copy of which as soon as completed I will forward to your office. I am sorry that I am unable to make a fuller report. The eastern portion of the county is thinly inhabited. I have never been called upon to make any surveys there, and consequently could not give you the desired information, except at a great sacrifice of time and money to myself.

Very respectfully,
Your obedient servant,

H. A. HIGLEY.

MOQUELUMNE HILL, Calaveras County, December 9, 1854.

HON. S. H. MARLETTE,
Surveyor General :

Dear Sir:

Owing to the destruction by fire of the records belonging to my office, I am able to present you with but a meagre report. Calaveras, though a mining county, is entitled to some consideration as an agricultural and grazing section. Although its geographical limits embrace a large extent of territory, scarcely one-half is as yet occupied. In the inhabited portion about 25,000 acres of land have been legally surveyed, and about half that quantity taken up, without the formality of a survey—making an aggregate, at a rough estimate, without accurate data, of about 37,000

acres of land used for agricultural and grazing purposes. Of the ranches—so called, in the mountains—but comparatively little is cultivated, the hills being used for grazing stock, though experiments have proved that very fair crops of barley can be raised on the hills, if put in at the proper season. With irrigation, there is scarcely an acre of land in the county on which any kind of grain or vegetables could not be raised, and that in profusion.

Within the past two years a new and almost unknown section of the county has been brought into notice. I refer to the region in the neighborhood of the "Big Tree." This section differs in almost every respect from the rest of the county. As its altitude is considerably greater, its climate is somewhat colder. Snow falls in considerable quantities, and I believe that showers are of frequent occurrence during the summer months, a few miles from the mining region. No gold has been found in the section spoken of; the hills lose their abrupt character, and become easy of ascent. The soil is rich; that on the hill side being as good as that of the valleys. The latter are being fast located upon as choice spots.

The ridge or divide between the Moquelumne and Calaveras rivers, and its continuation between the head waters of the former and the Stanislaus river, is of such a nature that a good wagon road could easily be constructed thereon, leading to a pass which is said to exist over the Sierra Nevada. I have not personally explored far into the mountains, but I have it from reliable sources that there is a pass in the Sierra, in lat. 38 degrees or 38 degrees 30 minutes, considerably lower than any heretofore discovered. A road through it would pass some six or eight miles to the north of the "Big Tree," and a little south of east of Moquelumne Hill. An exploration of the route would be advisable, and should it prove what it is believed it will, a proper use of its advantages would result in great good not only to Calaveras County, but to the whole State.

JNO. C. REID,
County Surveyor,
Calaveras County.

[EXTRACT FROM PRIVATE LETTER FROM THE SAME.]

"That pass through the Sierra is no fiction, if men are to be trusted. A friend of Judge Campbell, tells him that it is 300 feet lower than any other, and that he could drive a wagon from Moquelumne Hill to Carson Valley through it without trouble."

J. C. R.

EL DORADO COUNTY, Cal., June 22, 1854.

HON. S. H. MARLETTE,
Surveyor-General:

Dear Sir:

Yours of the 8th inst. has just come to hand, requesting me to acknowledge the same immediately.

My information on most of the points you have called my attention to is too limited to say a word on at present.

As it regards the location of Land Warrants, I have never located any; and the former County Surveyor informed me that he had surveyed but two, and owing to the non-compliance of one of the parties, he had recorded but one.

As regards the State Map, there is nothing right about it, at least so far as my observations have been. Coloma is on the south side of the river, but the map places it on the north. Georgetown bears from Coloma about N. N. E.; the map places it nearly east. Placerville is about S. E. of Coloma; the map places it nearly south. Coon Hollow is between Placerville and Weberville, but the map places Weberville between the two former. I might thus go on and fill a sheet of paper.

Eddy's observations of the latitude of Placerville places it nearly one mile and a half too far north. Wanting a proper almanac, I have not examined the longitude.

The expense of making a map of tolerable accuracy I think would require near \$3000.

BRIDGES.

Wm. Barton, twenty miles above Placerville, on South Fork American River.
E. and H. George, Chilian Bar, three miles N. N. W. of Placerville, on the South Fork American River.

Rann & Peris, Coloma, South Fork American River.

Ingoldsby & Co., Uniontown, South Fork American River.

Peris, Raim & Richards, Salmon Falls, South Fork American River.

Shaw, Mormon Island, South Fork American River.

Davis & Co., Volcano Bar, Middle Fork American River.

Moffitt & Co., Mouth Canon Creek, Middle Fork American River.

N. H. Smith, Murderer's Bar, Middle Fork American River.

Condemned Bar, North Fork American River.

COUNTY BOUNDARIES.

The number of miles I am not prepared to give. But the welfare of the County calls for the location of the eastern boundary. as there is a large portion of taxable property in that vicinity, and supposed by some to be in this County.

The above remarks were got up on the spur of the moment, but in my next I will endeavor to be more explicit.

WM. HENDERSON.

County Surveyor,
El Dorado County.

PLACER CITY, El Dorado County, Cal., Nov., 1854.

HON. S. H. MARLETTE,
Surveyor-General :

Sir :

A complete and accurate Report on the County of El Dorado, exhibiting its extent, resources, topography, agricultural, mineral and commercial statistics, would make a good sized volume.

For such a Report I have neither the time nor the data.

I shall limit my Report to a few points more especially pertaining to the Topographical Department.

LENGTH, BREADTH AND AREA.

Until the topography of the County is more accurately laid down than it can be at present, all estimates of its area must be approximate only.

The length of the west end of the County—that is a straight line from the mouth of the Middle Fork of the American River to Dry Creek—is about forty-five miles, and from Mormon Island to the summit of the Sierra Nevada, sixty miles. The width north and south on the summit cannot exceed twenty miles; so that the number of square miles west of the summit may be set down at about 1,950, and on the east of the summit (if Eddy's longitude be right) 300; but if Fremont's longitude be right, 580.

We may therefore conclude that this County does not contain far short of 2,250 square miles.

The gold region in this County extends the whole width of the County, that is, north and south; and from the west side eastward, about fifty miles, embracing about 1,600 square miles. There are, however, a few square miles (perhaps twenty or thirty) in the extreme southwest part of the County, that should not be considered mining lands, for the reason that it cannot be worked without sinking deep shafts, which I think would come in contact with water to such an extent that it would be impossible to work them.

There has been three separate and distinct water deposits throughout the length and breadth of this County. The first, or that lying on the bed rock, is a bed of gravel; in some places it is 150 feet thick. On the top of this rests a bed of pulverized pumice stone. This is also, in some places, 150 feet deep; and on the top of this, a coarse, dark, volcanic conglomerate. This deposit is frequently found 300 feet thick. In these two latter deposits, many a good fellow has spent large sums of money, hunting for gold, when he might as well have been hunting for it in the top of a pine tree.

In the aforesaid bed of gravel I have found wood in various stages of petrification, but have never been able to find the least trace of animal remains.

There are, throughout this County, many extensive quarries of primitive marble.

There is no coal in this County, and I am inclined to the belief that there is none anywhere between the San Joaquin and Sacramento Rivers and the summit of the Sierra.

COUNTY MAP.

With regard to the map of the County, I have this to say: That so long as the

Recorder, Justice of the Peace, &c., make ninety-nine surveys sitting at their tables for one that the County Surveyor makes on the ground, it is useless to look anywhere in the County for correct data to make a map from.

The shortest way that I have any knowledge of, to obtain a map that would be entitled to any degree of accuracy would be to go on to a prominent nob, and, with a solar compass, take the true bearings of other neighboring nobs, villages, houses, &c., and get their distance by triangulation, thus going to different nobs throughout the County in the same way. In this manner, all the noted places throughout the County may be located in their proper places on a map, the roads and water courses approximated to. In this manner, a map of tolerable accuracy might be obtained with but little expense.

In addition to this, there should be a proper geological survey made, in order that those lands that have no gold be set apart from those that have, so that the farmer may go to work without being interrupted. There are many places where farming might be carried on at a good profit to the farmer, where there is no gold, and would be a great advantage to the miners in the vicinity. But these places are about as liable to be torn up by the miner as any other.

There are many beds of poison mineral ores, such as arsenic, copper, cobalt, cinnabar, &c., scattered throughout the County, and many hundreds of men have come to an untimely grave by drinking water impregnated with some of those minerals. Thewater, therefore, in different districts, should be carefully analyzed, and its character made known.

If the above plan was carried into effect, it would create a new epoch in the mining operations in this County.

Yours, with respect,

WILLIAM HENDERSON,
County Surveyor,
El Dorado County, Cal.

SAN RAFAEL, Marin County, Nov. 14, 1854.

HON. S. H. MARLETTE,
Surveyor-General :

Sir :—

In compliance with your circular of June 1st, I lay before you the following report of this County:

In November, 1853, I sent to your office the numbers of all School Land Warrants that had been located in this County, with the description of their location. Since that time there has not been any located, nor any other surveys made of any account.

The most part of this County has been townshipped, but no part of it has been sectionized. From the limited and disconnected surveys which have been made, I cannot furnish you with a sketch of this County sufficiently accurate to be of

any service to you ; nor do I consider it practicable without a survey of the County lines.

I should suppose this County to be about thirty-five miles in length, and about twenty miles in breadth. The number of miles in boundary between this County and Sonoma County, is about twenty-five miles.

There is but little United States' land in this County, as nearly every foot of land is covered by Mexican Grants, or claimed to be, by those holding them. Most of the overflowed land is situated in the north-east part of this County, and nearly all has been surveyed by the United States.

About two-thirds of this County is suitable for cultivation and grazing. The larger portion of it lies near the coast and on the margin of the creeks and bays.

Since November 23d, 1852, there has been 6,720 acres of land located in School Land Warrants ; of this amount 4,800 acres have been located upon land covered with redwood timber, and the remaining 1,920 acres upon land suitable for cultivation.

I would respectfully call your attention to the condition of certain fords on the main road from San Rafael to Sonoma County. These, in the winter season, are impassable. The mail for this County has been detained at these arroyas for several days. All of these places could be made passable by bridging. There are no bridge companies in this County, nor any bridges, although bridges are much needed. I call your attention to these seemingly trifling difficulties, as their amendment is an operation too extensive for this County to undertake, and affecting, as it does, the interest of all.

I would estimate the number of

Horses,.....	2,000
Cattle,.....	9,000
Sheep,.....	2,000
Swine,.....	2,000

Fruit trees, about 2,000, most of them three years old, although some of them have borne fruit these two years; but this year the fruit has been destroyed by birds and foxes. Of the exact amount of produce for this year but little reliable information can be obtained.

Very respectfully, sir,
Your obedient servant,

ALFRED D. EASKOOT,
County Surveyor of Marin County.

MARIPOSA, December 5, 1854.

HON. S. H. MARLETTE,
Surveyor General :

Sir:—

I have the honor of submitting the following report in conformity to the suggestions of your circular of November 1st, 1854:

First. So far as I am able to state, "The Map of the State," of that portion comprising Mariposa County, is in the main correct. The greatest inaccuracy is in the course of the Merced River from Phillip's Ferry to its mouth. The mouth of the River, according to the United States surveys, is about thirty miles west and nine miles south of Phillip's Ferry.

Second. There is in the Valley of the San Joaquin River a large scope of country of high, dry, arid soil, destitute of timber. Much of this land might be irrigated by canals from the San Joaquin and its tributaries. But it appears to me that the more feasible plan would be by artesian wells. If the State, in its wisdom, would select a high location, cause to be sunk a good artesian well, to test the feasibility of the plan and its cost, these lands would become available, and many actual settlers would follow suit, who are not able or willing to undertake what they have no idea will be the cost, which might perhaps be trifling, or perhaps great.

An artesian well having been sunk, I should suggest that a forest, composed principally of the black locust tree, the cottonwood of the Mississippi, and what is usually known by the name of the "China-Tree," or the "Pride of China" in the Southern States; they each being a very quick growth. These soils would then, without any further effort, improve. They will even now, when the season is favorable, bring a good crop of barley, wheat or oats. Under the skillful hand of the husbandman these lands must improve fast and repay well the labor expended. Stock, from the months of March or April, until the fire runs over these lands—or should they, perchance, escape the fire, until the rains of the succeeding winter set in—prefer to graze upon these arid soils, and thrive, though there does not appear to be a green vegetable upon them after the month of June until the following spring.

Third. As to the swamp or overflowed lands in this County, I know of no certain way of ascertaining, except by actual survey and taking testimony. From the best information I can obtain, I think there must be from seventy-five to one hundred thousand acres of tule lands and other overflowed lands which will come under the same denomination. To ascertain the facts it will be necessary to appoint a Commissioner to retrace the United States Survey lines, and to take testimony.

The greater part of these lands may be reclaimed, according to the best information I can obtain; first, by throwing up sufficient levees with sufficient room between them, and by draining. The make of the soil upon the San Joaquin River is such that the water will rise more or less inside of a levee, through the soil.

Fourth. The past summer has been particularly disastrous to many crops of the Farmers of this County, in consequence of the presence of one of Pharaoh's plagues, grasshoppers, appearing in vast swarms. Of the cause or prevention I can say nothing.

LAND WARRANTS.

Fifth. I have taken the following memoranda from the Record Book of the County Recorder. I have endeavored to inform the holders of these warrants of the necessity of informing me of the subdivisions they intend to hold under them, which they have neglected to do :

School Warrant No. 38, calling for 320 acres, issued July 30, 1852, located by John Strentzall.

School Warrant, No. unknown, calling for ——— acres, issued Feb. 26, 1853 located by Samuel Scott.

School Warrant No. 198, calling for 320 acres, issued April 14, 1853, located by C. V. Snelling.

School Warrant No. 239, calling for 160 acres, issued July 8, 1853, located by L. D. Vinsonhaler.

School Warrant No. 240, calling for 160 acres, issued July 8, 1853, located by L. D. Vinsonhaler.

School Warrant No. 47, calling for 160 acres, issued July 7, 1853, located by L. D. Vinsonhaler.

School Warrant No. 48, calling for 160 acres, issued July 7, 1853, located by L. D. Vinsonhaler.

School Warrant No. 583, calling for — acres, issued Sept. 30, 1853, located by J. H. Baird.

School Warrant No. 584, calling for — acres, issued Sept. 30, 1853, located by J. H. Baird.

School Warrant No. 586, calling for — acres, issued Sept. 30, 1853, located by J. H. Baird.

School Warrant No. 587, calling for — acres, issued Sept. 30, 1853, located by J. H. Baird.

COUNTY LINES.

Sixth. It appears important that the boundary line between this County and Stanislaus County, or the most part of it, and the line between this County and Tulare County, should be run. I would suggest that where the United States have surveyed the lands, the County lines should be made to correspond with the nearest township lines to the present nominal boundaries, except where there are natural boundaries.

All of which is respectfully submitted,

O. M. DICKINSON,
County Surveyor of Mariposa County.

NAPA CITY, July 13th, 1854.

HON. S. H. MARLETTE,
Surveyor General:

Sir:

Owing to my absence, on professional business, I have only received your circular on the 10th inst. I now hasten to acknowledge the receipt of it, and, at the same time, to reply, succinctly, to several parts.

To articles 1, 2, 3, 4, 6, 7 and 8, of section 9, of the act relative to the Surveyor General, I will say that I am preparing a general report, which I will send to you on the first day of November, or, at any rate, before the 15th.

The farmers of Napa county have formed an Agricultural Society, and will have a Fair about the middle of September, where I will be enabled to ascertain all the facts relative to our agricultural state.

I have not, as yet, sent any reports of private surveys, made by me, as they were so desultory that it would have cost me a whole year's work to connect them together, but, in consequence of the number of county roads that have been ordered and surveyed this year, I will be enabled to send you a pretty correct map of Napa Valley proper. But this county, being composed of several valleys, such as Berreyesa Valley, Napa Valley, the Russian River, Pope's Valley, Cayote Valley and Clear Lake Valley, on the north of Napa Valley, and the Chemiles Valley, the Loconome Valley, and the Valley de los Putos, towards the east, and a great many small mountain valleys. The boundaries of the county are very indefinite, as the limits call for ranges of mountains which do not exist, or which are cut up by small and even large valleys, especially the eastern boundary. The northern boundary is placed on the State Map a great deal too far south, or Clear Lake a great deal too far north, I am not prepared to say which, but I will, in a few days, start for the Lake, and ascertain the exact position of the southern point of it, by astronomical observation, which I will send to you in my general report. The quantity of miles to be run to fix the boundary line between Napa county and the adjoining counties, would be about one hundred and fifty miles.

We have no tulare lands, or lands subject to inundation, uncovered by Spanish or Mexican grants, except on the margin of Clear Lake; in the mountain valleys there are some tracts subject to overflow in winter, but they are very small.

I have sent, according to law, the copies of the certificates of School Land Warrants, which I have located in Napa Valley. Below is a list of them. If any have been mislaid, please let me know, and I will immediately send duplicates of them:

Survey No. 6.—Warrants, Nos. 118 and 119, for 160 acres each, issued in favor of and located by S. Bynum, on the 15th and 16th of June, 1852.

Survey No. 8.—Warrant, No. 52, for 320 acres, issued in favor of and located by J. B. Cook, on the 13th of August, 1852.

Survey No. 9.—Warrants, Nos. 275 and 276, for 160 acres each, issued in favor of and located by Charles Hopper, 18th Sept. 1852.

Survey No. 10.—Warrant, No. 82, for 320 acres, issued in favor of and located by George C. Yount, 8th of October, 1852.

Survey No. 13.—Warrant, No. 86, for 320 acres, issued in favor of and located by J. S. Stark, on the 3d and 4th of November, 1852.

Survey No. 20.—Warrant, No. 88, for 320 acres, issued in favor of Jas. Burney and located by S. Bynum, on the 14th of January, 1853.

Survey No. 21.—Warrants, Nos. 451, 452 and 463, for 160 acres each, issued, the two first, in favor of Milton Biggs, and the last, in favor of R. F. C. Kellogg, and located by said Kellogg, 22d and 23d Feb. 1853.

Survey No. 22.—Warrants, Nos. 513 and 514, for 160 acres each, issued in favor of and located by Wm. H. Nash, 7th of April, 1853.

Survey No. 23.—Warrants, Nos. 515 and 535, for 160 acres each, issued in favor of and located by Wm. H. Nash, on the 9th of April, 1853.

This being the whole number located by me in all, nine surveys, and containing three thousand and forty acres (3,040 acres).

All the other information, which I will be able to collect, I will cheerfully transmit to you, on the first of November, or sooner, if possible.*

I cannot send you an estimate of the probable cost of making a map of my county, as I do not know myself, exactly, the errors on the map of the State.

I am, sir,

Your obedient servant,

EM. AD. HENNECOURT,

County Surveyor, Napa County.

Hon. S. H. MARLETTE,
Surveyor General:

AUBURN, November 15, 1854.

Sir :

I have just availed myself of the privilege of examining your circular of the 1st November. I am unprepared to give you the information sought for; which I would gladly do, if I were prepared to do so. The County of Placer is peculiarly situated, as you are aware, I suppose: extending from ten miles above Sacramento city to the summit of the Sierra Nevada, and it would be impossible for me to say to you what portion of it is agricultural and what is mineral. There is but a small portion, however, which would be considered agricultural, compared with the whole amount of territory; and, as to the swamp and overflowed lands, I have not the most distant idea. You will observe that our county boundary commences at the northwest corner of Sacramento county, on the Sacramento river, running thence up the middle of said river to a point ten miles below the junction of Sacramento and Feather rivers; thence in a northerly direction in a straight line to a point in the middle of Bear creek, opposite Camp Far West; thence up the middle of Bear Creek to its source, &c. I have no idea what the distance is from the source of Bear river and the source of the Middle Fork of the American River to the State line; neither have I any idea of the distance across from one stream to the other. The distance from the point mentioned to Camp Far West is said to be about thirty miles. The line has been run, or pretended to be run, by my predecessor, and a man appointed by the authorities of Sutter county. Their report was received, though they reported no timber on the route, and put up no marks whereby we could determine where it is. The line is also open and unsettled between Placer and Sacramento, from the northwest corner of Sacramento to the junction of the North and South Forks of the American river. I am unprepared to say anything definite relative to the swamp and overflowed lands—there being none; only the portion which lies on the Sacramento from the two points above mentioned; and I have never been called upon to make any surveys in that portion of the county; consequently I have never seen it. The agricultural portions which I have sur-

*Not Received. S. H. M.

vayed in this county have generally been in small bodies in the mineral region, with the exception of a strip across the lower end of the county, about the edge of the plains; there I have located for several persons tracts of school land. Those returns were made during the administration of your predecessor, which, I observe he enumerated in his report. I have made none since, or I would have sent them up quarterly, as the law requires. As to the Government surveys, I am entirely unprepared to say to what extent they have progressed. They have run some township lines up as far as this place, as I understand, and I observe that they have run a number of township lines down about the edge of the plains, but not happening to see them, I don't know to what extent they have progressed with it.

It would have afforded me much pleasure indeed, to have given you more satisfactory information in this communication; but indisposition, and other causes, have led to my delinquency on the present occasion. I hope our Assessor will do better, and I will try to do so in future. I am aware of the propriety, and great necessity, for prompt action and attention to those duties, and wish, under all circumstances, to give them that attention which their importance demands.

Very respectfully,
Your obedient servant,

C. W. FINLEY,
County Surveyor, Placer County.

COUNTY SURVEYOR'S OFFICE,
PLUMAS COUNTY, 30th Sept. 1854. }

HON. S. H. MARLETTE,
Surveyor General:

Sir :

I have the honor of submitting the following Report in relation to the requirements contained in your circular, of June last :

There are no navigable streams in this county. There are a number of wagon roads, passing through this county. The Lassen road, Nobles' road, roads passing through the American and Indian Valleys, and the road by Seventy-Six, all of which are travelled by emigrants from the Eastern States. One road, well worked, would be better than they all are. I would, therefore, recommend, that there be a State road laid out and worked, commencing at the Butte Creek Mills, near Neal's ranch, in the Sacramento Valley, passing through Yellow Creek Valley, Butte Valley, Lassen's Meadows, on the North Fork of Feather river, Indian Valley, Genesee Valley and Pioote Valley, to the State line. This route I believe to be the shortest and best, with the greatest abundance of grass and no scarcity of water.

The forests of timber, in this county, are inexhaustible. There are no marshes to drain or overflowed lands to reclaim. The farming lands are easily irrigated,

by the streams that run from the mountains. There are no lands that I know of that would come under the head of State lands, in this county. The lands, adapted to tillage and grazing, are about one hundred thousand acres, and are situated in the valleys located on the waters of Feather river. There are about two hundred horses, four or five hundred cattle and two hundred swine. There was about seven hundred bushels of wheat produced last year, and a number of thousand bushels of potatoes, which will be greatly increased this year. This county is almost one entire gold district. I have no means of knowing the quantity produced last year. It is found in the beds of streams, dry ravines, hills and quartz ledges. There is no United States survey of lands in this county, nor any point astronomically determined, to my knowledge. I have compared the official map, and, so far as it regards this county, it is very inaccurate. The expense of making a map of this county, I have no means of ascertaining, unless by the execution of said map. The county line, between this and Sierra, should be run as soon as practicable, as there has been some dispute about the jurisdiction of the two counties. There are no School Land Warrants located in this county, and, to my knowledge, no Mexican grants claimed or bridge companies chartered

All of which is respectfully submitted.

JOBE T. TAYLOR,
County Surveyor, Plumas County.

SACRAMENTO COUNTY, December 4th, 1854.

HON. S. H. MARLETTE,
Surveyor General:

Sir :

In answer to your "Circular to County Surveyors," the following statement is respectfully submitted:

With regard to County Boundaries, where natural limits are not selected, there can be no doubt but that the lines of the U. S. Surveys, as being defined upon the ground and known to the citizens, would be better and more permanent boundaries than the arbitrary lines at present adopted.

More than a year has elapsed since the whole of this county was divided into townships, six miles square, by the United States Surveyors, but no portion has, as yet, been sub-divided into sections. A delay, caused by the expressed intention of the U. S. Surveyor General to await a final decision on the Mexican grants, and a delay which produces much disappointment and inconvenience to the settlers throughout the county. Those who are disposed to select a claim, in a desirable vicinity, being unable to ascertain where a pre-emption might be safely located, without danger of dispossession by a prior occupancy; and those already settled, being equally deterred from making valuable and permanent

improvements, of which the U. S. section lines might eventually deprive them—a condition of affairs highly prejudicial to the agricultural interests of this county and measures to obviate which, are urged as of the first importance.

For this purpose, your attention to the following suggestions, is solicited:

• Could an immediate sub-division of the townships into sections, quarter-sections, &c., be obtained, the chief obstacles to future settlement and improvement would be removed; the settler would then be enabled to locate, build and improve, with a knowledge of the extent of his protection, under the U. S. pre-emption laws, and the U. S. Government would sustain but the trifling loss of such surveys as might be afterwards embraced within the limits of a confirmed grant.

But this would yet be far from affording all that is reasonably required by our agricultural community, already settled on the public domain.

The pre-emption laws of the United States, made applicable to this State, by the act of March 3d, 1853, were framed with reference to the wants of settlers upon the Public Lands, at the time of their passage, and were found sufficient for the then new States and Territories. By these laws, the pre-emptor is confined to the legal sub-divisions of the survey. His right is made an untransferable personal privilege, and his remedy, the arbitrary decision of the Register of his Land Office, and an appeal, rarely taken, to the proper department.

For a country, where the compass of the surveyor usually preceded the plough of the settler, and the land sale followed in quick succession; where a scattered population erected cheap dwellings and moveable enclosures, and legal sub-divisions could easily be selected, without encroachment upon a neighbor; where conflicting claims were anticipated by the provisions of the law, and readily adjusted by a Register; for such a country were the present pre-emption laws make adequate, and, to such a country, the State of California exhibits an exact contrast, being, in all respects, precisely the reverse.

Should, therefore, these laws be enforced within this State, according to their present provisions, annoyances, without limit, and actual losses, beyond computation, would be inflicted upon a large portion of our citizens. A few illustrations may suffice:

First. Along the roads, and, in other places, where land is deemed valuable, expensive buildings and permanent ditch fences have been constructed, in such positions, that often, by survey, a legal sub-division will be ascertained to include two or more occupants, and the result be an abandonment or a troublesome controversy, generally both.

Even where there may be no contested claim, the changes of lines and boundaries will entail upon the settler the loss of a portion of his enclosures and other improvements, or place them in an unsuitable position to the remainder of his land.

Again: as the United States Government recognize no transfer of a pre-emption right, the purchaser from a settler, dates his occupation from the time of the purchase, thus becoming subject to all the intermediate rights of the neighborhood; consequently, a valuable portion of the claim, the priority of location, is utterly lost, neither buyer nor seller benefitting thereby.

Further; for the multitude of contests that must, necessarily arise during the final determination of the pre-emptive rights, no competent tribunal is provided, there being simply a Register, from whom—restricted to his formula of instructions, and pressed with other duties of his office—but little can be expected, and a distant department of the Government, which may, at some future time, favor its applicants with a decision.

These, and numberless other examples, could be fairly stated, as the legitimate result of an application of the present pre-emption laws to the settlers

upon the public lands within this State; and it is therefore suggested that measures be taken to urge such a modification in their provisions as will enable the settler to purchase, from the U. S. Government, according to his possession and improvements, as will entitle him to transfer his right to a purchaser, and will, when his claim is questioned, furnish him with a speedy and ample adjudication.

Should this be accomplished, the loss to the General Government of a few detached acres of rejected and, comparatively, worthless land, will be more than compensated by the prosperity of her citizens, and, it is confidently asserted, that no act of Congress, relating to the public domain, within this State, short of an absolute donation, would be more beneficial to the interests of our agricultural population, than one of a nature thus recommended.

Although not possessed of information sufficient for a reliable statement, yet, it is believed, that the swamp and overflowed lands, as designated in the circular, will, in this county, exceed one hundred and thirty thousand acres, fifteen thousand of which may, perhaps, be included within Mexican Grants. A large portion of these lands are covered with valuable grass, part with tule, and the remainder with weeds. The overflow being usually caused by the rise of adjacent streams, the construction of proper dykes or levees, with a regular system of drainage, would, at no immoderate expense, reclaim a quantity of land, which, at present, cannot be calculated, but which, from the richness of the alluvial deposite, may hereafter be classed among the most productive soils within the county.

It is to be regretted that such an examination of this subject has not been authorized, as would have afforded a more exact report.

The separation of these lands from the public domain, seems, at present, solely to depend upon the field notes of the U. S. Deputy Surveyors, who, traversing them during the dry season, can scarcely be qualified to judge of their nature, and the State, in consequence, may sustain serious loss. The Commissioner of the General Land Office, however, is permitted to receive such evidence of the character of these lands, as the State may furnish.

To what extent the State will be a sufferer by a neglect of its interests within this county, cannot now be made the subject of an estimate.

On the lands which, as swamp and overflowed, will eventually be allotted to this State, many settlers are at present located, with the expectation of purchasing, when titles can be procured. Such a contingency seems not, as yet, to have been provided for, or even contemplated, and it is suggested that a recommendation be made for the organization of a department, to have in charge the large landed interest which this State will, under the several acts of Congress, soon possess; a department fully authorized to provide surveys, make sales, confer titles, adjust claims and exercise all such powers as other States have judged expedient to vest in Commissioners for similar purposes.

In conclusion, it is respectfully represented, that the statements and suggestions, herein contained, are submitted for your consideration, as relating to this county, although an identity of interest, throughout the State, may render unavoidable their general application.

Very respectfully,
Your obedient servant,

WM. L. DEWITT,
County Surveyor.

SAN BERNARDINO, December 7, 1854.

HON. S. H. MARLETTE,
Surveyor General :

Sir :—

Your circular addressed to the County Surveyor, was duly received some ten days ago, and I hasten to answer it. I would have sent the particulars before but was not in possession of the statutes of the State, in consequence of the absence of H. G. Sherwood from the State, whose vacancy I was elected to fill in September last. Since the receipt of your favor, the Assessor has informed me that he has fulfilled the requirements mentioned in your circular. I shall, hereafter, use every exertion to fulfill the duties of my office.

In relation to a route for the Great Pacific Railroad : the route from the mouth of the Gila River, through the pass of San Gorgonia, to the port of San Pedro, is, in the minds of all practical men, well adapted to that great enterprise, being free from any great obstacle, and a portion of the way well timbered. The Hon. Wm. M. Gwin, who visited our County last week, expressed himself, from what he had seen and could hear, that the route was decidedly practicable.

I remain, respectfully,
Your obedient servant,

ARVIN M. STODDARD,
County Surveyor of San Bernardino County.

COUNTY SURVEYOR'S OFFICE, }
San Francisco, Nov. 1, 1854. }

HON. S. H. MARLETTE,
Surveyor General :

Sir :—

In compliance with your instructions, I beg leave to make the following report :

SCHOOL LAND WARRANTS.

From October 1st, 1853, there have been fourteen warrants located in this County, on twenty-four hundred acres of land; copies of the plats of survey I herewith send.

In this connection I would beg leave to state that the late Surveyor General left with me a package of returns of School Land Warrant Surveys, made by the late County Surveyor of this County as informal, and which were not recorded in your office. I shall send them to you to dispose of as you may see fit.

SWAMP OR OVERFLOWED LANDS.

It is almost an impossibility to make an estimate with any degree of accuracy of the quantity of these lands in this County. There has been 2,869 acres surveyed for different individuals since October 1st, 1853.

COUNTY BOUNDARIES.

The act subdividing the State into Counties, and establishing the boundaries thereof, describes San Francisco County as "beginning at a point in the Santa Cruz mountains, at the source of San Francisco Creek, thence due west to the Pacific Ocean, etc." There is considerable difficulty in locating the source of the aforesaid Creek, as there are three different streams or springs some distance apart on these mountains, all of which are claimed, by different persons, to be the source of the Creek. It creates a great deal of confusion with regard to the lines or boundaries of land in that vicinity, as also in the collection of taxes—Santa Cruz County and San Francisco County both claiming from the same land owners.

An official survey to determine finally the line from the initial point to the ocean is absolutely needed, both with regard to the interests of this County and Santa Cruz.

In relation to the other questions in your circular, about public lands, etc., it is needless to say to you that there are no unoccupied lands in this County.

Having no other information of any importance to communicate, I will here close.

Very respectfully,
Your obedient servant,

J. J. GARDINER,
County Surveyor.

STOCKTON, June 9, 1854.

HON. S. H. MARLETTE,
Surveyor General :

Sir :—

A circular from you, the receipt of which I take pleasure in acknowledging, came to hand this morning. I have also to acknowledge the receipt of a letter bearing date June 1st, for which please accept my thanks.

In reply to the requests contained in your circular, I have to say that some time will be required to comply in the proper form.

With reference to the bridge companies in this County, I have to say that I do not think there is a regularly organized company in the County, working under a charter. There are three toll-bridges in this County, all of which are on the Calaveras River.

In the matter of the School Lands already located, I will attend to sending you the plats as soon as I can find time so to do.

We have in our office an official map of the State. The County of San Joaquin is somewhat incorrect. The western boundary line should fall due south from the point of starting on the west channel of the San Joaquin River, and should be about twenty miles in length, thence following the Coast Range, nearly south-east, about fourteen miles, thence north-east about ——— miles to the mouth of the Stanislaus River. I am of the opinion that the County is too far north. I believe that the north-east corner of our County is but about fourteen miles north of the 38th dg. of north latitude. I am also of the opinion that the distance from the north-west corner of the County to the San Joaquin River, is much too long. Some of the roads as laid down are not County roads. I can make you a map of this County, on the scale of two and a half miles to the inch, generally quite correct, laying down all of the roads that are truly County roads, and also others that are traveled, if you wish it, for one hundred dollars. I should be obliged to visit several points on the northern boundary of the County, in order to make up such a map as I should wish to send to you.

Mr. Whiting is on a visit to the Atlantic States. I look for his return in about three weeks, when I shall take pleasure in laying your circular before him.

Yours truly and with respect,

GEO. E. DREW,
Deputy County Surveyor of San Joaquin County.

P. S.—I received notice from the County Judge several weeks since, that it would be necessary to run the boundary line between this and Stanislaus County, previous to January 1, 1855; a distance of some twenty-six miles from the mouth of the Stanislaus River. The boundary line at present commences at a point on the San Joaquin one mile west of the mouth of the Stanislaus. The western line of our County is, I believe, about half a mile west of the second range line east of Mount Diablo. I would suggest the propriety of assuming that line as the boundary, from the base line south to the summit of the Coast Range, and from the base line north two miles, more or less, to the San Joaquin River.

G. E. D.

COUNTY SURVEYOR'S OFFICE, }
 SAN JOSE, NOV. 22, 1854, }

Hon. S. H. MARLETTE,
 Surveyor General:

Sir:

I send you enclosed, a tabular statement of all the School Land Warrants which have been located in Santa Clara County, prior to the first of September of the present year. But two warrants have been located during the current quarter, viz:

Warrant No. 77, for 160 acres, issued June 3rd, 1852, to George I. Clark; assigned May 20, 1853, to Wm. J. Maclay, and located for him Sept 23, 1854; and Warrant 602, for 160 acres, issued July 2, 1853, to Lawrence Sturtevant, assigned July 5, 1853, to L. A. Gould, and located for him Sept. 23, 1854. The greater part of the lands in this County, have been surveyed into townships by the United States Surveyors, but no part has been sectionized. A few of the estates claimed under Spanish and Mexican titles have also been surveyed, but sufficient progress has not been made in this department to show the location and extent of any tract of public land. It is evident that we cannot know that any land is the property of the United States, until the adjacent private grants have been surveyed, and it is ascertained that none of these cover it. When these surveys are completed and returned to the office of the U. S. Surveyor General for California, the maps in his office will exhibit the boundaries of the public lands as well as those of the several ranchos. The information which reaches the County Surveyor, in regard to this matter, can only be obtained indirectly, and it is respectfully suggested that the most, and indeed only satisfactory mode by which correct intelligence can be obtained, will be by an application to the U. S. Surveyor General for California. I have no doubt, that as the surveys progress, valuable tracts of land lying within the limits of this County, which have been supposed to be covered by private grants, and are unoccupied, will prove to be public land, but unless some measures are adopted to secure these to the State for School Lands, as soon as possible, after the return of the surveys, they will be occupied by settlers claiming as pre-emptors. The only lands in Santa Clara County, which come under the description of "swamp and overflowed lands" are the "*esteros*" lying around the southern part of San Francisco Bay. They are salt marshes, covered by ordinary high tides, and intersected by numerous sloughs and estuaries. They are unfit for grazing or culture, irredeemable except at a great cost, and in my opinion entirely worthless. No survey has been made of them, but I estimate their area at about twenty square miles.

No change in the present boundaries of this county, is recommended. The line between Santa Clara and San Francisco Counties, was surveyed by your predecessor in office, (the late Wm. M. Eddy, Esq.) near the close of his term. The boundary between this and Alameda County should be surveyed early next year, a considerable settlement having been made so near the division line that it is impossible, without a survey, to determine in which county it lies.

The only important error in the official map of the State of California, as regards this county, is in the position of Salsepreedes Creek which rises to the westward of the summit of the Santa Cruz Mountains, and no part of which lies within the limits of Santa Clara County.

The topography of the County is fully described in the report from this office to your predecessor, dated Dec. 15, 1852, and published in page 34 of his annual report for that year, to which reference is respectfully made. The survey of the townships east of the principal meridian, have been but recently completed, and the maps have not yet been returned to the office of the U. S. Surveyor General. When copies of the maps of the townships east and west of the principal meridian can be procured, I can, by adding to them such local information as the records of this office furnish, make a pretty accurate map of the County, and a very close estimate of the amount of valley and of mountainous land.

The area of Santa Clara County as now constituted, may be estimated at 1000 square miles, of which about 450 square miles or 298,000 acres are valley land. I estimate that during the present year, about one-tenth of this was under cultivation, and produced as follows, viz:

20,000 acres in	Wheat, at 30 bushels per acre,	750,000 Bushels,
5,000 "	Barley, at 50 " " -	250,000 "
2,000 "	Oats, at 30 " " -	60,000 "
2,000 "	Corn, Potatoes, Cabbages, Onions, &c.—	

The wheat crop was fully 25 per cent below the average yield of the valley, almost every field being more or less injured by smut.

There are in the County, five flour mills, having 14 run of stones, in operation, and three more designed for 15 run, are in process of erection, two of which are nearly completed.

The Santa Cruz mountains furnish an abundant growth of redwood, and a large number of mills are in operation, preparing lumber for this County and for shipment to San Francisco, but owing to their remote position, I am unable to furnish accurate statistics either of their number or annual product.

The New Almaden quicksilver mines, situated on the eastern slope of the Santa Cruz mountains, 12 miles from San Jose, is the richest in the world, and the annual product exceeds that of any other mine. I applied some time since, in the proper quarter, for authentic statistics, respecting their operations during the past year, but the desired information has not yet been received.

Copious supplies of pure water have been obtained in different portions of the valley, by sinking artesian wells, to depths varying from 70 to 200 feet. The average cost of these wells, (6½ inches in diameter,) is about two dollars per foot. From 15 to 20 of these wells have been sunk within the last six months, and the result of these experiments renders it probable, that in every part of our valley, unfailing streams can be obtained at a cost of from \$140 to \$400. We can hardly over estimate the benefits which will accrue to the County from these discoveries. One, by no means the least, is, that farmers will be able to retain a portion of their land for grazing, and on other portions, to raise wheat, corn, oats, and garden products. By the introduction of a greater variety of crops, it is to be hoped they will avoid that over production of particular articles which has heretofore resulted so disastrously to the farming interest.

Messrs. Head & Beale are making preparations to erect a toll bridge over the Pajaro River, at Malo Paso, under an act of the Legislature, passed at its last session. No other bridge company has been organized in this County.

Yours, very respectfully,

WM. I. LEWIS,

County Surveyor, Santa Clara County.

SHASTA, June 30, 1854.

HON. S. H. MARLETTE,
Surveyor General:

Sir :

Your circular came to hand this morning. In reply, I have to state, that I do not at present hold the office of County Surveyor of this County; having resigned about six months ago. The vacancy occasioned thereby has not yet been filled by an appointment. It will give me pleasure, however, in the absence of the proper official, to give you the information your circular calls for.

1st. The County of Shasta, as represented upon the official map, was made out, with my assistance, from the best information which could be had; and I am not aware of any surveys having been made since that time which could add to its accuracy.

2d. I am not able to give you a more correct estimate of the number of miles of boundary between this and the adjoining counties, than can be obtained by the scale on the State map.

As yet, there have been no surveys made by the Government, in this county, upon the public lands. There are no lands subject to overflow, nor any swamp lands of any extent within the limits of this county. A more particular description of the public lands here, I am unable to give you at present.

There are three toll-bridges in this county; all of them upon Clear Creek, viz: Landrum & Briggs', J. J. Bell's, and Kearnes & Deal's.

Very respectfully,
Your obedient servant,

E. C. GILLETTE.

P. S. I forgot to state, that but two School Land Warrants have been located in this county—Nos. 382 and 383, for 160 acres each—for S. B. Sheldon. Another Warrant, for 320 acres, was located by M. S. Cavert, in this county, upon another man's claim; but was either floated or abandoned by Cavert.

COUNTY SURVEYOR'S OFFICE, }
DOWNIEVILLE, Sierra Co., July 2, 1854. }

HON. S. H. MARLETTE,
Surveyor General:

Sir:

In compliance with the instructions contained in your circular of the 1st ult., I hereby remit to you such information as I have been able to collect, and hope

I shall be able, previous to the 15th November, to remit full statistics of my county.

I find, by an examination of the State map, very material discrepancies in both the southern and eastern boundaries of my county, in relation to the location of streams, and their relative position thereto.

About one hundred miles of county boundary should be run, previous to January, 1856.

I can, with such data as I have already in my possession, make a very accurate map of my county, (by taking a few more topographical observations,) for about six hundred dollars; and if I find that it will not cost as much as I anticipate, I will reduce the price accordingly.

With regard to bridge companies: there are two toll-bridges in this county; one crossing the North Yuba at this place, owned by D. G. Webber; another, crossing the same at Goodyear's Bar, owned by James Golding.

All of which is respectfully submitted.

Yours, &c.,

MYRON H. STONE,
County Surveyor.

P. S. If you should require the map previous to 1st January next, please inform me soon, for the purpose of taking my observations previous to the rainy season.

COUNTY SURVEYOR'S OFFICE, }
DOWNIEVILLE, Sierra County, Cal., Nov. 20th, 1854. }

HON. S. H. MARLETTE,
Surveyor-General:

Sir:

In compliance with an Act passed April 17th, 1850, concerning the office of Surveyor-General, I beg leave to make the following report:

1st. There are no navigable streams in this county.

2d. During the present year there have been many improvements made in wagon roads, and there is a project now on the tapis to construct one from this place, to Indian Valley, to connect with the Marysville road.

3d. There are about 2,000 acres of overflowed or swamp lands in this county, all in Sierra Valley.

4th. There are about 1,500 acres of land under cultivation in this county, the principal part of which is in Sierra Valley, situated on the head waters of Middle Feather River. There are about 30,000 acres within this county adapted to tillage and grazing.

5th. Number of horses and mules, about 500; cattle, 400; swine, 1,000; sheep, I know of none except a very few in the hands of butchers.

6th. Wheat, barley and potatoes are the principal productions of the county in its agricultural branch.

7th. The entire county I consider as mineral lands. The only mineral that abounds in sufficient quantity to repay the miner, is gold. Other metals are occasionally found in small quantities, but principally in the form of oxides or sulphurets. Springs impregnated with sulphur are found in the north-eastern part of Sierra Valley.

The estimated value of the gold extracted from the mines and placers of this county during the present year is between eight and nine millions of dollars.

I have the honor to be

Your most obedient servant,

MYRON H. STONE,
County Surveyor, Sierra County.

By W. G. STILL, Deputy.

COUNTY SURVEYOR'S OFFICE, }
DOWNIEVILLE, Sierra County, Cal., Nov. 21st, 1854. }

HON. S. H. MARLETTE,
Surveyor-General:

Sir:

I received yours of the 13th inst., accompanied by your circular, and although I remitted to you yesterday my report, I will herein give such further information as lies in my power.

1st. The boundaries of this county contain about 174 miles in circumference, of which there has been surveyed only 19 23-100 miles, being the line between this and Yuba county, of which I forwarded a copy to your office*; how much of the balance requires to be run out before 1856, I know not, for I have seen no order upon the subject.

2d. There is considerable inaccuracy in the State map as regards the western boundary of this county, as you will perceive by comparing the length thereof as surveyed, with its delineation on said map.

3d. I can make with such data as I now have in my possession, a tolerably accurate map of this county, for the sum of three hundred dollars.

4th. There has never been a school land warrant presented in this county for location.

5th. No surveys have been made in this county by the United States Surveyors.

6th. With regard to the great stage route to the Atlantic, I would state I am entirely unacquainted with the southern routes across the Sierra Nevada, but the

*Not received. S. H. M.

pass through these mountains by the New Emigrant Route, surveyed by W. G. Still in 1852, is one that in no part thereof has a grade of more than eight degrees, and it is perfectly practicable, with a very small expense, to construct a road that shall not have more than four or five degrees grade at any point. The citizens of this place appointed a committee of five to examine the route from this to Oak Valley, with the intention of constructing a wagon road, and the committee left this morning to perform the duties assigned them. If this road should be constructed (which I have no doubt it will be,) within five or six months, I should consider, from information that I have received with regard to the other passes through the Sierra, that this would be the most feasible route for a stage road to the Desert, or Sink of the Humboldt; beyond that I have no reliable information with regard to the formation of the country.

7th. The swamp lands mentioned in my report of yesterday, can be reclaimed by widening the channel of the branch of Feather river, upon which they lie; but owing to the early and severe frosts that abound in that region, they cannot be considered as very valuable, except for the culture of grass, and some of the hardier grains.

All of which is most respectfully submitted.

Your obedient servant,

MYRON H. STONE,
County Surveyor, Sierra County.

By W. G. STILL, Deputy.

COUNTY OF SISKIYOU, July 2d, 1854.

HON. S. H. MARLETTE,
Surveyor-General :

Sir :

In the comparison of the official map of Siskiyou County with the natural divisions and localities of said County, I find a similarity between that portion of the County lying northwest of the Shasta Butte and the portion of the map drawn for that part of the County; but in the southern part there is but little correctness in the map. There are three extensive valleys lying in the southern part of Siskiyou County, and there is one lake also, that is not down on the map, and the lake is called Tele Lake, and there are two large streams running through that part of the County, but, as that part of the County is but little known, there cannot be a correct map drawn without further examination; and the expense of drawing a map of this County with accuracy would not be less than a thousand or fifteen hundred dollars.

COUNTY BOUNDARY.

There is about 175 miles of County boundary, lying between Siskiyou Count

and the adjoining Counties, to be surveyed, as you mentioned in your circular ; and their present situation answers as well or better than they can be otherwise arranged at present.

PUBLIC LANDS.

There are about 100,000 acres of land lying in the valleys of Siskiyou County, three quarters of which is adapted to tillage and grazing, and the soil is highly productive.

About one half of this land can be irrigated by aqueducts. None of the land has been townshipped or surveyed by the United States Surveyors, or sectionized. There is but little timber on this land, but on the mountains around the valleys where this land is located, there is plenty of timber for the use of the land. There are the pine, the fir, the redwood and the oak, convenient to be had.

SWAMP AND OVERFLOWED LANDS.

About one fourth of the above one hundred thousand acres of land is swamp and overflowed, and there is but a small portion of that which can be reclaimed. It is are now covered by Mexican grants.

The necessary information relative to the amount of land and the quality of it, can be had at a moderate expense.

As I have stated, there have been no surveys made in Siskiyou County by United States Surveyors, and I think that there will be near one fourth of the land in this County marked as swamp and overflowed lands.

THE MINES.

The mines in Siskiyou County are paying a reasonable income. The creek and river leads are paying better at present than the dry diggings, and the quartz rock has proved to be not quite so rich as it was supposed. The quartz mills in this County have all fell through, and ceased to run. Stentz's, Shackelford's, Moffat's and Martin's have all quit crushing quartz, because it would not pay them. The income of the mines from the 1st of January to the 1st of July, 1854, I have not been able to find out with accuracy. The nearest I can come to it is from information I have received from Rhodes & Lusk's Express, which is in Yreka City. According to their reports, they have taken in 15,000 ounces of gold from the 1st of January to the 1st of July, 1854. These 15,000 ounces of gold are equal to \$251,250, and this Express has taken in but a small portion of the gold taken from the mines in Siskiyou County.

CONCERNING THE FIVE HUNDRED THOUSAND ACRES OF LAND GRANTED TO THIS STATE, ALSO THOSE GRANTED FOR EDUCATIONAL PURPOSES.

There are 25,000 acres of land in Siskiyou County covered by or taken up under the pre-emption law, all of which are lying in Scott and Shasta Valleys and on Cottonwood Creek.

There are yet 10,000 acres of public land lying vacant in Scott Valley, but there is only a small portion of vacant land in Shasta Valley, and the remainder of the 15,000 acres of land is lying in the valleys situated in the southern part of the County. The soil of these valleys is highly productive and well watered, and the neighboring mountains are well timbered.

CONCERNING THE AGGREGATE QUANTITY OF STOCK AND PRODUCE OF THE STATE IN THE
COUNTY OF SISKIYOU.

There are 2,500 acres of wheat in cultivation this season, and the land produces at an average rate of twenty bushels of wheat to the acre, which will average 50,000 bushels of wheat raised in this County this season.

There are 1,000 acres of barley sown, which will average twenty bushels to the acre, in all equal to 20,000 bushels.

There are 500 acres of potatoes planted, which will average 100 bushels to the acre, in all equal to 50,000 bushels of potatoes, raised this season.

There are 1,500 acres of oats sown this season, which will produce twenty-five bushels to the acre, equal to 37,500 bushels of oats.

Horses.....	400
Cattle.....	1200
Hogs.....	1000

Please receive the report, and excuse all failures and mistakes,

And oblige your humble servant,

E. M. STEVENS,
County Surveyor, Siskiyou County.

BENICIA, Solano Co., November, 1854.

Hon. S. H. MARLETTE,
Surveyor General:

Sir:

I now communicate the result of my examinations and inquiries, in reference to the subjects adverted to in your circular.

1st. In reference to the aggregate quantity of land belonging to the State, my estimate is, that there are about ninety-two thousand acres of tule land attached to this county, which I think is susceptible of being redeemed at no very great expense. As the tide never rises over it but a few inches, an embankment, two feet high, would secure almost the whole of it, from the head of Suisun bay down. There are fifty thousand acres of other lands, subject to overflow at every excessive rise in the Sacramento river. This land seems to me more difficult to bring into useful or profitable occupation. Of the five townships of land which are sectioned in this county, I estimate that there are about forty quarter sections adjoining the tule where the greater portion is tule, and, consequently, belonging to the State, which, I think, the Surveyor General has had surveyed into fractions, so as to deprive the State of their right thereto. I may be under a misapprehension on this subject. These lands I consider among the most valuable in the State, and if I am right, are certainly worth looking after.

My estimate of the area of the entire county is about equal to nine hundred and six square miles, or five hundred and eighty thousand acres ; of which I set down as tule, ninety-two thousand acres; as mountain and hill land, one hundred and fifty-three thousand acres, mostly susceptible of being used for grazing purposes; two hundred thousand, as susceptible of profitable tillage; and ninety-two thousand acres rendered valueless by inundation, sterility, and other causes; and forty-three thousand acres of water surface.

Of the tule land, that adjoining the Suscol Rancho is claimed by the proprietors thereof; but I think not any of the rest is. The amount so claimed, I think, is probably about eleven thousand acres. I think about one hundred and thirty thousand acres of land is covered with timber—some of it densely, other portions more sparsely. About four hundred thousand acres of the entire area of the county are claimed by Spanish grants.

I estimate the entire amount cultivated, at seventeen thousand acres; of which, I suppose, ten thousand acres in wheat, six thousand acres in barley, five hundred in corn, three hundred in vegetables, and two hundred in oats. The yield, per acre, I estimate as follows:

200 acres Potatoes, 3 tons per acre.....	600 tons
40 " Onions, 2 tons....do.....	80 "
Wheat, 30 bushels to the acre.....	300,000 bush.
Barley, 40 ..do.....do.....	240,000 "
Corn, 30 ....do.....do.....	15,000 "
Oats, 60 ....do.....do.....	12,000 "

Of Grapes, there is but one vineyard in the county bearing much, (Mr. Wolf-skill's,) and of the production, I cannot say. One or two others are beginning to bear a little.

In reference to the amount of stock, of course but little reliance can be placed on my estimate; but such as it is I give it. I put down, then, the number of

Horses	4,000
Cattle	12,000
Sheep	10,000
Hogs	10,000

I have a County map in progress, and shall be in Sacramento soon, and will offer it to you.

Your obt. servant,

H. PATTON,
County Surveyor.

BENICIA, September 2, 1854.

Hon. S. H. MARLETTE,
Surveyor General:

Sir:

I have examined the State Map, and find it about as near a representation as a shirt would be for a night cap! The corner of the county is made within five miles of Sacramento city!—I think it cannot be less than twenty. The Sacramento river is very inaccurately laid down. Suisun bay is improperly represented as the west line of the county. For instance, at Cordelia, the map shows a distance in a northwest direction of fifteen or twenty miles, when it is really not more than seven.

In reference to the miles necessary to be run to settle the boundary of the county with perfect accuracy: so much of the boundary of this county is natural, I think twenty-five or thirty miles will be all that are necessary. From Cache Creek slough, or Merritt's slough, to the mouth of Putah creek, cannot possibly, I think, be ten miles, and from Suscol creek to Putah creek, cannot be more than twenty; all the rest of it being a natural boundary, to wit: Cache Creek slough, Sacramento river, Suisun bay, Straits of Carquines, San Pedro bay, Napa creek, Suscol creek, and Putah creek; and I know of no alteration that could be made advantageously.

In regard to my return of the School Land Warrants, I would readily communicate any other information that may be desirable. At your suggestion, I am engaged in making a County Map, which I shall offer at the cheapest possible rate, when ascertained, after completion.

Respectfully,

Your obedient servant,

H. PATTON,
County Surveyor, Solano Co.

P. S. The owner of Warrants No. 13 and 14, and 336 and 337, desires me to make inquiry whether their location had been reported at your office.

You will perceive by my return of the School Warrants No. 51, 53, 534, and 540, the manner in which the public surveys are being made: that is, so as to include all the upland. Now a small strip of high land connected with the tule, makes a very desirable location; and as I understand the law, such mode of surveying is unwarrantable. Where more than half of a tract is tule land, it all belongs to the State, and if more than half upland, then to the United States. On the plan of this survey, there can be no such division. I think the State officers should remonstrate against such a proceeding. The fraction on section 13 belongs to the State without any doubt. I will say nothing at present in reference to other lands that may be improperly described. I think there will be some lands erroneously described as being subject to inundation; but it seems to be very unjust to require officers to perform laborious and important duties without compensation, and here I enter my protest against such proceeding.

H. PATTON.

SACRAMENTO, November 27, 1854.

HON. S. H. MARLETTE:
Surveyor-General :

Dear Sir :

I have completed a Map of the County of Solano ; exhibiting the Government surveys so far as made ; the bounds of each of the Spanish grants, designating those confirmed and those rejected ; the towns, roads, bridges, mountain and hill lands, tule lands, and other inundated lands, the water courses, county boundary, &c.; a copy of which I will furnish for two hundred dollars.

Respectfully yours,

H. PATTON.

STANISLAUS COUNTY, Nov. 10, 1854.

HON. S. H. MARLETTE,
Surveyor-General :

Sir :

In compliance with your circular, I send you the following report, and trust it will prove satisfactory.

The San Joaquin river would be navigable if the snags were taken out, from its mouth to the mouth of the Merced river, for the largest class of steamboats, eight months in the year ; and from the formation of its bed, it being quicksand, if boats were constantly plying on it at low water, it would admit of boats drawing from three and a half to four feet.

The plains in this county could be irrigated by taking the water from the rivers running through it at the foot of the mountains, by means of canals. It is not expedient at present, for it would be attended with great expense, and have but few consumers. We have good reason to believe, from the situation of the arable lands in this county, that Artesian wells can be sunk successfully ; if so, it would be much more convenient than any other mode of irrigation.

Gold is the only mineral found in this county in sufficient quantity to pay for working. Immediately on the Stanislaus river, beginning at the north-east corner of the county, gold is found in sufficient quantity for seven miles below, to pay the miner for working in the dry season ; the average wages being about \$4 00 per day. On the Tuolumne river, at the point where the county line crosses it, and for four miles below, gold is found and worked during the dry season, paying about the same as on the Stanislaus river. The mines are known by the name of French Bar. For one

or two miles south and south-east of these mines on the river, the flats and gulches have been prospected, and in places have proved to be rich ; they have been worked to some extent, but abandoned at present for the want of water.

I would state that I have had no School Warrants to locate. By looking at the accompanying map, you will see that I have marked a portion on both sides of the San Joaquin river, as overflowed land. The whole I have marked was overflowed in 1850, '52 and '53, and one-half or two-thirds was overflowed in 1851 and '54. You ask if all or any portion of this can be reclaimed ? I would answer that it is impossible ; and if an explanation of the causes which prevent their reclamation is required, I will endeavor to explain them satisfactorily.

There is from thirty-five to forty thousand acres of overflowed land in this county. It has a sufficient quantity of oak and willow timber growing on it for fuel and fencing for many years, but valuable for no mechanical purposes. This land is only desirable for grazing, and for that purpose is very valuable. Many have already settled on the uplands adjoining the overflowed lands, with the intention of entering it by pre-emption law, and in hopes that the State will look to her interest and dispose of the overflowed lands, so that each settler, or the oldest settlers, will be entitled to enter at least 160 acres, and that adjoining to his pre-emption.

Between the San Joaquin river and Coast Range of mountains there are 130,000 acres of arable land ; it being of a rich soil, is well adapted to tillage or grazing purposes. On this there is no timber. The low hills are good for grazing, and will be valuable for that purpose in time.

I cannot give a very correct estimate of the land on the east of the San Joaquin river. The bottom land on the Stanislaus and Tuolumne rivers is nearly all settled, and under good cultivation. The low hills and plains are all arable, and nearly the whole would be desirable for either grazing or agricultural purposes, if it was not for the scarcity of timber and water. The only timber that is found on them is the oak, and of a small growth. By looking at the map you will see that I have marked the portion that is timbered with the letter F. I believe that nearly all of the land east of the San Joaquin has been sectionized, but I learn that it is being done over again on account of some error.

I have seen the Surveyor that located the School Warrants in this county when it was a portion of Tuolumne county, and he stated to me that he had made returns to the Surveyor-General of each one at the time of survey.

Your obedient servant,

SILAS WILCOX,
County Surveyor, Stanislaus County.

COUNTY SURVEYOR'S OFFICE, }
SONORA, Dec. 4, 1854. }

HON. S. H. MARLETTE,
Surveyor-General :

Sir :

I have the honor to transmit to you, in accordance with the law defining the duties of my office in connection with that of the Surveyor-General,

the following Report. The many deficiencies which appear are attributable both to the recent period at which I entered upon the duties of my present post, and the very limited means I have of obtaining information upon many of the subjects submitted, in your circular, to my consideration, which are evidently entirely distinct from the profession of the Engineer or Surveyor.

Very respectfully,
Your obedient servant,

WM. H. FINNEY,
County Surveyor of Tuolumne County.

REPORT.

The only information "relative to each and every article mentioned in the 9th Section of an Act concerning the office of Surveyor-General, passed April 17th, 1850," which I have been able to obtain, is briefly given.

1st. Art. 2d of 9th Section. As is well known, there are no navigable streams within the County of Tuolumne, and none which are susceptible of being made so; the only two rivers within its limits, the Stanislaus and Tuolumne, having their sources amid the rocks of the Sierra Nevada, and running throughout their entire course through the County over an irregular, narrow, rocky and steep bed. Hence, no lands are to be found within our borders subject to overflow, and no marshes which require drainage. There are no "turnpikes, railroads, canals (in the generally accepted meaning of the word) or aqueducts" completed, and none contemplated. The County roads within the County are nearly all of a local character, and are under the control of the Supervisors of the County. I may be permitted to mention, in this connection, that the new Emigrant Road, leading into the County through "Sonora Pass," is one which appears to me to partake of a public character, and, as such, entitled to the fostering care of the State Government. From Sonora to the point where this road passes into Utah Territory, the distance is about seventy-five miles; thence to its intersection with the old route is about one hundred miles. The only difficulties to be encountered on the Sonora route by the emigrant are found in that portion of it (the seventy-five miles) which lies within the limits of our County. A few thousand dollars, judiciously expended, would make this an excellent mountain road. The advantages from such a consummation, not only to this and the adjoining Counties, but to the entire southern portion of the State, are too palpable to require demonstration, and cannot fail, it is hoped, to attract the favorable attention of those who have the control of such matters.

"The mountains," (as all that portion of the County to the north of Sonora, and embracing, perhaps, more than one third of its whole extent, is called) contain the finest timber; spruce, pine, hemlock, sugar-pine, &c., abounding in almost inexhaustable quantities. Many mills are now engaged, at different localities throughout them, in sawing lumber for this and the Stockton markets. Nearly, if not quite all, of any worth in the neighborhood, has been cut, whilst very much of the finest will, perhaps, (from its inaccessibility) remain forever undisturbed by the hand of man.

2d. 3d Article of same Section. I cannot discover, after due inquiry and search, that there are any lands in Tuolumne County belonging to the State. I am, however, inclined to believe the entirety of it subject to the control of the

general government, as no portion of it, not even that which has been generally regarded as only agricultural, is free from the presence of the precious metal.

3d. Articles 4th, 5th, 6th and 7th. As any estimate I could give on the subject referred to in these articles would be only a matter of guess-work, it appears to me quite unnecessary to attempt any.

4th. Section 13. As the surveys which I have made since entering upon the duties of County Surveyor have been but few, and those isolated plats of ground, having no marked connection with any "known point, determined astronomically by the U. S. Surveys," I presume it a work of supererogation to transmit them.

COUNTY BOUNDARIES.

Presuming that reference is had, in speaking of the number of miles of boundary required to be run "previous to the 1st of January, 1856," to the number which are of an artificial character, and which, so far as I can learn, have never been chained and defined, I would represent that the entire boundary line between this and Mariposa County, as well as on the northeast, dividing this and Calaveras County, being, perhaps, (for I cannot speak advisedly, having but a slight acquaintance with those portions of the County) one hundred or one hundred and twenty-five miles, should be more accurately defined than it now is. The boundary between this and Stanislaus County, required by an Act of the last Legislature to be run by the County Surveyors of the two Counties, is as yet undetermined, each Surveyor running his own line and the two not agreeing.

Should the Board of Supervisors of Tuolumne County see fit to grant a petition which has been presented by the various magistrates in the County, praying that, for the better knowledge of their jurisdiction, the County be laid off into Townships, I should be enabled upon the completion of that work, to afford the Surveyor-General more reliable information upon many points referred to in this report.

All of which is respectfully submitted.

WM. H. FINNEY,

County Surveyor of Tuolumne County.

[C.]

CIRCULAR TO COUNTY ASSESSORS.

SURVEYOR GENERAL'S OFFICE,
Sacramento, June 1, 1854. }

SIR :—

Allow me respectfully to call your attention to the following extracts from the laws defining the duties of your office in connection with that of the Surveyor General :

First. From "An Act concerning the office of Surveyor General," passed April 17, 1850.

"SEC. 9. He shall deliver to the Governor annually, on or before the fifteenth day of December, his Report, which shall contain—

1. An accurate statement of the progress he may have made in the execution of the surveys enjoined on him by law, and in the preparation of the Map of the State.

2. Plans and suggestions for the improvement of the internal navigation of the State, and for the construction and improvement of roads, turnpikes, railroads, canals and aqueducts ; also, plans and suggestions for the planting, preservation and increase of forests of timber trees, for the draining of marshes, prevention of overflows, and the irrigation of arable lands, by means of reservoirs, canals, artesian wells, or otherwise.

3. An estimate of the aggregate quantity of land belonging to the State, and the best information he may be able to obtain as to the characteristics of the same.

4. An estimate of the aggregate quantity of all lands used for or adapted to tillage and grazing within this State, and each County of the State, together with a description of the locations in which the same may be situated.

5. An estimate of the aggregate number of horses, cattle, sheep and swine within the State, and each County of the State.

6. An estimate of the aggregate quantity of wheat, rye, maize, potatoes, grapes and other agricultural productions of the preceding year, together with his views as to the presence, cause and remedy of any diseases, or other mischief, preventing a full and proportional return and increase of the same.

7. An estimate of all mineral lands within the State, and each County of the State, and the quantity and value of each mineral produced during the preceding year, together with a description of the localities in which such minerals may be found.

8. All facts which may be within his personal knowledge, or which he may learn from reliable sources, and which may, in his opinion, be calculated to promote the full development of the resources of the State.

SEC. 10. He shall address a circular letter to the County Surveyors and County Assessors instructing them, and it is hereby made a part of their official duties, to use their utmost diligence in collecting information relative to each and every matter mentioned in the ninth section of this Act, and to transmit to

him quarterly, at the Seat of Government, a report in writing setting forth the result of their inquiries.

Sec. 11. He shall, with his annual report, transmit to the Governor all reports which he may have received from his deputies, as mentioned in the tenth section of this Act."

I will be obliged to you for a list of bridge companies in your County immediately.

I would urge upon you a careful examination of this circular, and as strict a compliance with its requirements as you may find possible.

Your last report for this year should reach me by the middle of November next, that I may avail myself of its contents in making out mine, which must be presented by the middle of December.

Please acknowledge the receipt of this immediately, and oblige,

Very respectfully,

Your obedient servant,

S. H. MARLETTE,
Surveyor General.

To ———, Esq., County Assessor,
———— County.

OFFICE OF COUNTY ASSESSOR OF ALAMEDA COUNTY,)
Alvarado, November 1, 1854. }

HON. S. H. MARLETTE,
Surveyor General :

Sir :—

The amount of land under cultivation in this County is 61,000 acres:

In barley,	-	-	-	-	-	-	24,000 acres.
In wheat, -	-	-	-	-	-	-	20,000 "
In oats,	-	-	-	-	-	-	6,000 "
In potatoes	-	-	-	-	-	-	5,000 "
In nurseries, trees, etc.,	-	-	-	-	-	-	1,000 "
In cabbage, etc., -	-	-	-	-	-	-	2,000 "
In Canary Beans, plants, etc. -	-	-	-	-	-	-	3,000 "
Total,	-	-	-	-	-	-	61,000 acres.

STOCK.

Cattle,	-	-	-	-	-	-	110,000
Horses,	-	-	-	-	-	-	60,000

Sheep,	-	-	-	-	-	-	20,000
Hogs,	-	-	-	-	-	-	13,000
Goats,	-	-	-	-	-	-	350

The yield of wheat per acre,	-	-	-	-	-	-	36 bushels.
" barley "	-	-	-	-	-	-	66 "
" potatoes "	-	-	-	-	-	-	200 "
" oats "	-	-	-	-	-	-	80 "

The Surveyor will answer the rest of the circular.

Yours, &c.

G. W. GOUCHEE,
County Assessor.

COUNTY ASSESSOR'S OFFICE,
Amador County, Dec. 11, 1854. }

HON. S. H. MARLETTE,
Surveyor General :

Sir :—

In compliance with your request of date November 1, 1854, I herewith send to you a copy of the total aggregate from the assessment roll :

17,443 acres of agricultural land, valuation,	-	-	\$83,725
263 town lots, valuation,	-	-	59,445
Value of improvements,	-	-	412,857
Value of personal property,	-	-	482,416

Total valuation of property - - - \$1,038,443

Horses,	-	-	-	-	-	416
Cattle,	-	-	-	-	-	1,158
Hogs,	-	-	-	-	-	3,673
Bushels of wheat	-	-	-	-	-	16,248
" barley,	-	-	-	-	-	27,712
" oats,	-	-	-	-	-	13,327
Tons of hay,	-	-	-	-	-	1,411

Value of improvements for quartz mining,	-	-	\$30,800
Value of quartz mines,	-	-	276,000
Annual yield of gold from quartz,	-	-	280,000

I, Henry A. Eichelberger, County Assessor of Amador County, do hereby certify that the above is a correct statement from the assessment roll.

H. A. EICHELBERGER,
County Assessor of Amador.

BIDWELL, Butte County, Nov. 27, 1854.

HON. S. H. MARLETTE,
Surveyor General :

Sir :—

Your circular of November 1st, was received the 23d inst. I have no documents by which I can make out a report fulfilling the requirements of the 9th section of an act concerning the office of Surveyor General.

There is a bridge company incorporated at this place for the purpose of building a bridge across the River. No other companies in the County.

Very respectfully,
Your obedient servant,

MILES CHAPIN,
Assessor of Butte County.

ALAMO CITY, Contra Costa County, Dec. 7th, 1854.

HON. S. H. MARLETTE,
Surveyor-General :

Sir :

I received your circular a few days since, and I very much regret that the law to which you called my attention had entirely escaped my notice.

I am not able to furnish you with a report that is entirely satisfactory to myself; yet I will endeavor to do the best that I can from the facts before me; and I further promise a strict compliance according to law, the ensuing year.

There are one hundred and seventy-four thousand four hundred and seventy-three acres of land held under title in the County; two thousand nine hundred and fifty-

three horses ; sixteen thousand three hundred and twenty-two cattle ; nine thousand five hundred and eight hogs ; thirteen thousand one hundred and forty-six sheep ; two hundred and twenty-eight mules.

If I were to undertake to give you the number of acres of tillable land in the county, the description of the products, &c., it would all be guess work, and therefore I will pass the matter over.

Yours respectfully,

J. M. JONES,

County Assessor.

HUMBOLDT COUNTY, Nov. 13th, 1854.

HON. S. H. MARLETTE,
Surveyor-General :

Sir :

In compliance with your request by circular, and in conformity with the Act of the Legislature of the State of California defining the duties of County Assessors in connection with the Surveyor General, I transmit the following report :

The quantity of land under cultivation in this County is probably about two thousand five hundred acres. This is chiefly situated in the valleys of Eel river and Mad river, bordering on the bay ; and there probably remains independent of this, three times the above amount suitable for cultivation. The area of land adapted to grazing is very extensive.

Bordering on the bay and coast, the country is principally covered with timber, and of excellent quality, consisting chiefly of redwood, pine and spruce. This is probably the best as well as the most extensive lumbering district in the State.

The soil is of excellent quality, producing grains and esculents in great abundance and variety. The exact limits and boundaries of this County are not defined, in consequence of no survey being completed ; owing to this fact, there are continued disputes as to the whereabouts of the boundaries between this and Klamath.

As yet but little fruit has been raised, but another year or two will add greatly to this branch of agriculture. There is a large number of fruit trees of every variety adapted to this climate, in fine growth, and some have already borne fruit. The quantity of mineral land known in this County is small.

The number of horses, cattle, &c., of this County, as stated below, is as correct as possible, although many immigrants have located in the County since these were enumerated, and have added to the number somewhat.

Number of Horses,	-	-	-	-	320
“ “ Mules,	-	-	-	-	360
“ “ Milch cows,	-	-	-	-	412
“ “ Cattle,	-	-	-	-	1400
9					

The quantity of produce raised in the County, I give as follows :

Wheat, bushels,	-	-	-	-	-	-	-	14,000
Oats, “	-	-	-	-	-	-	-	16,000
Barley, “	-	-	-	-	-	-	-	6,000
Potatoes, “	-	-	-	-	-	-	-	20,000

Respectfully,

D. D. WILLIAMS,
Assessor.

OFFICE OF THE COUNTY ASSESSOR, }
LOS ANGELES, November 13th, 1854. }

HON. S. H. MARLETTE,
Surveyor General :

Sir :

In compliance with your circular, and in conformity with an act passed on the 17th of April, 1850, I transmit the following information :

The improvement of roads in the County has greatly facilitated the passing of wagons and carriages from Tejon to Tulare, Sacramento and other points. On the rancho of San Francisco, \$6,000, have been expended in cutting down a hill, and other improvements are still being made in San Bernardino.

Great improvements have been made in this city, during the present year. In the county 20,000 acres of land are under cultivation, and of these, 15,000 have been irrigated by natural canals.

The produce of the County is as follows : wheat, 10,088 fanegas ; barley, 20,200 fanegas ; potatoes, 10,500 quintals ; beans, 4,000 fanegas ; indian corn, 2,100 fanegas ; fruit trees, 4,968 ; grape vines, 394,200, which produce as follows : 3,133,600 lbs. of grapes ; black cattle, 100,531 ; tame horses, 15,798 ; oxen, 798 ; sheep, 26,066 ; hogs, 1,706. This year has been very good for vines and all productions in general, except wheat, which has been damaged by rust, to a great extent. The planting of trees is progressing rapidly, the orange tree and sugar cane the same ; also the planting of sweet potatoes, and generally in the articles of cultivation, all are progressing.

I remain, sir,
Respectfully yours,

A. F. CORONEL,
County Assessor.

SAN BERNARDINO COUNTY, Nov. 4th, 1854.

HON. S. H. MARLETTE,
Surveyor General :

Sir :

In reply to the requirements contained in your circular of the first June last, I herewith transmit my report of the same, for the present year, (1854) in the following style :

First : all lands in the County, together with their qualities and locations, names of ranchos and the productions thereof, &c.

THE RANCHO SAN BERNARDINO

Is situated under the mountains in front of the Cajon Pass, and is surrounded on the south side by a range or chain of high hills. This rancho is situated in one of the finest valleys in the State, well watered with many fine streams, flowing and running down from the mountains, which form the river called the Santa Anna, making its way into the Pacific south-west of San Bernardino City. This valley contains something near forty leagues of fine rich land, well adapted for the growing of all kinds of grain, vegetables and fruits ; also, this valley is a fine grazing country for all kinds of stock, and has much timber in the valley for fuel. The mountains on the north are covered with much fine pine and other lumber, so much that it can never be exhausted. The people of this valley have built a fine road up the mountain to the lumber, where they have five saw mills. One of the mills goes by steam, the others by water power. They have three other saw mills in the valley : one for sawing, boring and morticing lumber for fencing, which should be called a fencing machine. They also have a large fine flouring mill in the valley, which manufactures large quantities of superfine flour. The people of San Bernardino Rancho all work together in the same field, which makes large fields. There was, in small grain, on the Rancho San Bernardino, the past year, some four thousand acres in wheat, barley and oats. Two or three hundred acres failed, on account of not being put in in proper style. It was sown on the ground among the old stubble and only harrowed in, therefore it hardly was worth cutting; did not yield a fourth crop, hardly more than one-eighth. Also, two or three hundred acres of good wheat taking fire from some persons cooking in the field in time of harvest, which leaves three thousand and five hundred acres of wheat, barley and oats, twenty-five hundred in wheat and one thousand in barley and oats, the wheat yielding an average of twenty bushels per acre, making fifty thousand bushels of wheat raised on the rancho the past season ; the barley and oats yielding twenty-five bushels per acre, making twenty-five thousand bushels raised on the rancho the past season. The corn raised on the rancho supposed to be about one thousand bushels ; potatoes about two thousand bushels ; beans about two hundred bushels ; onions about two thousand bushels ; cabbage, beets, &c., in abundance.

The Mormon people, on the San Bernardino Rancho, have set out or planted quite a large quantity of grape vines, which bore some few grapes the past season, and are expected to bear a good quantity next season. There are in all supposed to be about fifty thousand vines. They have also set out quite a number of fruit trees of the different kinds. There were some peach trees that bore some few peaches the past season.

The citizens of this valley are building up the city of San Bernardino, which has been chartered, laid off and organized two miles square. They are putting up a good number of splendid buildings, on a most beautiful site.

The above rancho has not yet been surveyed or set off, though there has been eight leagues confirmed by the U. S. Land Commissioners. The proprietors of Rancho San Bernardino (Lyman & Rich,) claim the whole valley, which I have said to you is about forty leagues. The reason why they claim the whole valley, is that they bought the whole valley and have paid for the same. They hold bonds for a warrantee title, &c.

Amount of Grain, Vegetables, &c., on Rancho San Bernardino.

Wheat, number of bushels,	-	-	-	-	50,000
Barley and Oats, number of bushels,	-	-	-	-	25,000
Corn,	"	"	-	-	1,000
Potatoes,	"	"	-	-	2,000
Onions,	"	"	-	-	2,000
Beans,	"	"	-	-	200
Grapes, number of lbs.	-	-	-	-	-

THE JARUPA RANCHO.

This rancho is one among the finest in our County. It joins the San Bernardino Rancho on the south-west, and runs down the Santa Anna river on both sides, a distance of thirty miles. It is a fine grazing country on both sides of the river, and it is also well adapted for farming and growing all kinds of grain, fruit and vegetables. This rancho is claimed by Don Juan Bandina. There has been confirmed by the U. S. Commissioners, seven leagues of said rancho, but has not been surveyed or set off. There will be a large portion that will fall to the government. A part of this same Rancho has been sold to Lewis Robidoux, Esq., say about three leagues, and another portion given by Bandina to some New Mexicans for a settlement. They have a settlement of about twenty families, who have fine small farms, gardens and vineyards in cultivation. L. Robidoux, Esq., has quite a fine farm and grows and raises about one thousand bushels of wheat and about one thousand bushels of barley, together with many vegetables. He also has a fine vineyard coming on, which will bear the next season.

The Mexican settlement raised about two thousand bushels of wheat and barley, say fifteen hundred bushels of wheat and five hundred of barley, also, about one thousand bushels of corn, and about five hundred bushels of beans, five hundred bushels onions, together with cabbage, potatoes and other vegetables in abundance.

Amount of Grain, Vegetables, &c., raised on the Rancho Jarupa, for the year 1854.

Number of bushels of	Wheat,	-	-	-	-	2,500
"	"	Barley and Oats,	-	-	-	1,500
"	"	Corn,	-	-	-	1,000
"	"	Potatoes,	-	-	-	-
"	"	Onions,	-	-	-	500
"	"	Beans,	-	-	-	500
Number of lbs. of	Grapes,	-	-	-	-	-

THE RANCHO DEL CHINO.

This ranch is both fine and beautiful, having all the facilities for cultivating everything that we may wish to grow. It is also a very fine country for grazing stock of all kinds, and is bounded on the south side by most beautiful hills, which are covered with wild oats in their season. Also, in those hills there is a fine tar spring, which is used for many purposes. The Mexicans cover their houses with this tar. The land in the valley is fine and rich, suitable for growing anything at all. The proprietor of this rancho (Col. Isaac Williams,) does not farm on a large scale, but raises a great quantity of stock of all kinds, horses, cattle, sheep and hogs. The Col. gave in to me eight and one-half leagues of land, though I think there is about twice that amount of first quality, and this rancho has not been set off. The grain raised on this rancho is about two thousand bushels of wheat and about two thousand bushels of barley and oats; five hundred bushels of potatoes and two hundred bushels of onions. The Col. has quite a fine young orchard of the different fruits set out, and is commencing to bare. There were some peaches the past season. This rancho lies south-west of the city of San Bernardino, and about thirty miles distant, and joins the County of Los Angeles.

Amount of Grain, Vegetables, &c., raised on the Rancho del Chino for year 1854.

Number of bushels of	Wheat,	-	-	-	-	2,000
"	"	Barley and Oats,	-	-	-	2,000
"	"	Corn,	-	-	-	-
"	"	Potatoes,	-	-	-	500
"	"	Onions,	-	-	-	200
"	"	Beans,	-	-	-	-
Number of lbs. of	Grapes,	-	-	-	-	-

THE RANCHO DE JUAPA.

This is a beautiful rancho, both for grazing and cultivation, and joins the Jarupa Rancho on the north, the Rancho de la Sierra on the south, the Rancho del Rincon on the south-west and the Rancho del Chino on the west, and lying on the Santa Anna river, a distance thirty miles south-west of the city of San Bernardino. This rancho contains four thousand five hundred acres of land. Nothing cultivated there this year, though there are grazing on the rancho some two or three thousand head of cattle. This rancho belongs to the heirs of Tomas Yorba, deceased.

THE RANCHO DE LA SIERRA.

This rancho is quite fine for grazing and small portions of it are well adapted for cultivation, and contains four thousand five hundred acres, and is owned by Don Bernardo Yorba, a Californian. Nothing cultivated on the rancho the past season. There are some houses and corrals and two or three thousand head of cattle grazing.

THE RANCHO DEL RINCON.

This rancho is divided from the Ranch de la Sierra by the Santa Anna river, and joins the Rancho del Chino on the west and Los Angeles County on the south, also, the Rancho Jarupa on the north, and contains four thousand five

hundred acres of land, the one-half of which is fine, rich soil and well adapted for cultivating anything one may need to grow, though there was nothing raised on the rancho the past season worth mentioning. There are some three or four thousand head of cattle grazing on the rancho at present. Both of the above named ranchos are owned by Don Bernardo Yorba.

THE TEMASCAL RANCHO.

This rancho lies fifteen or twenty miles east of the Rancho de la Sierra and in a south-east direction from the city of San Bernardino, a distance of thirty-five miles; it joins San Diego County on the east and Los Angeles County on the south. This rancho is very fine for grazing, and there are about one thousand acres of fine land for cultivation. There is a small vineyard and also some fruit trees, apples, pears and other fruits. I could not find out or learn how much land there was in the above rancho. There is a good number of horses and cattle grazing on it.

THE RANCHO CUCAMONGA.

This rancho lies west of the city of San Bernardino, twenty-five miles distant, immediately on the road to Los Angeles. This is the most beautiful rancho in the county, but not very large. Mr. L. V. Prudhouse, the owner, only gave in to me four leagues of land. It lies close up under the mountains and is well watered by fine and beautiful streams running from the mountains. There are two vineyards on this rancho. Both together have thirteen thousand five hundred vines, which average a yield of fifteen pounds per vine, making two hundred and two thousand five hundred pounds of grapes raised on this rancho the past season. There is also a fine orchard of different fruits, peaches, pears, &c., bearing in abundance. There was also cultivated in corn and wheat, one hundred and seventy-two acres, which yielded as follows: two acres of corn yielding forty bushels per acre, making eighty bushels of corn, and one hundred and seventy acres of wheat yielding twenty bushels per acre, making three thousand four hundred bushels of wheat raised on the rancho the past season. This rancho has not been surveyed or set off as yet.

Amount of Grain, Vegetables, &c., raised on the Rancho Cucamonga for the year 1854.

Number of bushels of	Wheat,	-	-	-	-	3,400
"	"	Barley and Oats,	-	-	-	
"	"	Corn,	-	-	-	80
"	"	Potatoes,	-	-	-	-
"	"	Onions,	-	-	-	-
"	"	Beans,	-	-	-	-
Number of lbs. of	Grapes,	-	-	-	-	202,500

Total Amount of Grain, Vegetables and Fruit raised in the County of San Bernardino, for year 1854.

Number of bushels of	Wheat,	-	-	-	-	57,900
"	"	Barley and Oats,	-	-	-	28,500
"	"	Corn,	-	-	-	2,080
"	"	Potatoes,	-	-	-	2,500
"	"	Onions,	-	-	-	2,700
"	"	Beans,	-	-	-	700
Number of lbs. of	Grapes,	-	-	-	-	202,500

Total Amount of Stock in the County of San Bernardino.

Number of head of	Horses,	-	.	-	-	1,700
"	"	Mules,	-	-	-	191
"	"	Cattle,	-	-	-	19,025
"	"	Sheep,	-	-	-	9,433
"	"	Goats,	-	-	-	130
"	"	Hogs,	-	-	-	697

Sir :—The above report is made out the best I know how, from the chance that I had to make a report. I also believe it to be very correct, to the best of my knowledge.

Very respectfully,
Your obedient servant,

V. J. HERRING,
County Assessor.

SAN JOAQUIN COUNTY, 1854.

HON. H. S. MARLETTE,
Surveyor General :

Sir :

The information required in the first, second, third and fourth articles of your circular, it will be next to impossible for me to furnish you, at present, at least. But I have endeavored to ascertain as near as possible all matters of information required by the fifth and sixth articles of the same, and you will find it annexed :

Number of Horses.....	3,016
Number of Mules.....	1,063
Number of Sheep.....	3,167
Number of Hogs.....	9,497
Number of Cattle.....	10,215
Number of acres of wheat.....	13,111
Number of acres of barley.....	20,116
Number of acres of oats.....	1,954
Number of acres of corn.....	87
Number of acres of potatoes	85

Owing to our not receiving your circular until we had commenced our assessments, it probably may not be quite as accurate as it would have been had we had it at the commencement. However, I think it can be relied upon as very nearly correct.

I find no disease in the crops in this county, except smut. The smut in the

wheat crop, which is quite prevalent in some parts of the county. The cause I am not able to tell, but I have been told by several farmers that have tried it, that washing the seed in weak lye before sowing will entirely remedy the disease in the growing crop. Consequently, I think a great deal of this disease is the result of bad and foul seed.

Should anything further come to my knowledge concerning any matters required of us by your circular, I will give it to you at the earliest opportunity. The foregoing is as correct as was possible for us to obtain under the circumstances.

I remain, respectfully,
Your obedient servant,

C. CARROLL TERRILL,

Deputy County Assessor,
San Joaquin County.

SHASTA, Sept. 21, 1854.

HON. S. H. MARLETTE,
Surveyor-General :

Sir :

The aggregate quantity of lands used for or adapted to tillage and grazing in this County, as coming under my observation as Assessor, is 64,869 acres.

Number of Horses,	-	-	-	-	-	-	1200
“ “ Mules,	-	-	-	-	-	-	1500
“ “ Cattle,	-	-	-	-	-	-	2400
“ “ Sheep,	-	-	-	-	-	-	1000
“ “ Swine,	-	-	-	-	-	-	2000

The quantity of Wheat, bushels,	-	-	-	-	-	10,000
“ Barley, “	-	-	-	-	-	60,000
“ Potatoes, “	-	-	-	-	-	10,000

I will here state that the wheat crop in this County was blighted by smut to some extent. To remedy the above I would recommend that the seed wheat be well washed, and rolled in dry lime while damp, and sown before dry. I have witnessed the above remedy in the Atlantic States, and found it to be effectual.

No other mineral than gold has as yet been discovered, and as to the amount produced I am unable to give an estimate.

I have here given a full statement of all information relative to each matter mentioned in the ninth section of the Surveyor-General's duties, so far as I have any

knowledge. I will further state, that from and after the time I received your circular, I have used due diligence in obtaining information, of which you have the result.

Very respectfully,
Your obedient servant,

S. E. JACK,
Assessor of Shasta County.

ASSESSOR'S OFFICE, SIERRA CO., }
DOWNIEVILLE, NOV. 13, 1854. }

Hon. S. H. MARLETTE,
Surveyor General :

Sir :

In conformity with the tenth section of "An Act concerning the office of Surveyor General, passed April 17, 1850," I beg leave to make the following report :

1. There are no navigable streams within this county.
2. There is, probably, no county in the State that exhibits more tardiness in the improvement or construction of roads and highways than this ; principally on account of the mountainous character of the country. During the past year, many additions and improvements have been made, and new roads, or rather trails, have been opened. A project is now in contemplation for the construction of a road along and following the river bank from the County Seat to Indian Valley, thence ascending the hill, and connecting with the Yuba County road at Foster's Bar. It is to be hoped that the design may be carried to its completion, and thus afford a practicable wagon road, at all seasons of the year. The estimated expense of the work is about thirty thousand dollars. There is no expedient that could be introduced better calculated to develop the resources of the county.
3. I am not aware of any land or lands belonging to the State in this county.
4. About twenty-five hundred acres of land are at present under successful cultivation, principally situated upon the flats or in small valleys ; the mountainous character of the county forbidding extensive culture.
5. Sierra valley is situated on the head waters of the Middle Fork of Feather river ; being about forty miles in length by eight miles in breadth—all of which is well calculated for grazing, and some portion for agricultural purposes.

6. Number of Horses and Mules.....	500
" Cattle	400
" Sheep	200
" Swine	1,200

7. Vegetables are cultivated to a considerable extent, though not sufficient for domestic consumption. Wheat, Barley and Maize, are among the products of the

county, the extent of which no accurate estimate can be formed ; probably about eight hundred acres.

8. No disease has made its appearance in the productions of the county. Early frosts frequently injure portions of produce before they mature.

9. The geological and mineralogical description of Sierra county, offers unlimited fields for speculation and research. Broken, rugged, and uninviting as it may appear to the casual observer, its mountains and valleys present more objects of curiosity and interest than the same space in any other part of the known world ; independent of the valuable metals to be obtained by apparently unlaborious efforts.

In reference to the geological survey of the county, great facility for obtaining information is offered by the progress of mining operations. The most hidden recesses of nature are invaded by the persevering miner in search of gold. The bases of hills are perforated for hundreds of feet, rivers are changed from their natural courses, and whole mountains are occasionally removed, to discover the hidden treasure.

The primary formation of unstratified rock may be seen at different points, denuded by mining operations. It is exceedingly hard, requiring the most severe labor to penetrate.

The primary, secondary, and tertiary formations are here of infinite interest; but the two last, only, are pertinent to this report.

The secondary formation is composed of granite, slate, lime, and quartz.

The tertiary contains the principal objects of interest : gold, silver, platina, galena, iron, magnesia, and sulphur.

Gold is found in veins, alluvial deposits, and in infinite small particles distributed through quartz rocks.

Silver is found native with gold, and in the form of sulphurets.

Platina is found in fine scales, with gold, iron, and lead.

Galena is found in veins, and in detached lumps in the alluvial deposits.

Iron is found in the forms of sulphurets and oxides, in most every part of the county.

Magnesia is found in the form of carbonate, in the northern part of the county.

Sulphur is found in the northeasterly part of the county, impregnating the waters, and, also, in masses thrown up, apparently, by volcanic action.

10. The estimated value of the gold realized in the county during the past year, is about eight million of dollars.

I have the honor to be,

Your most obedient servant,

FRANCIS M. PROCTOR,
Assessor Sierra county.

YOLO COUNTY, August 8, 1854.

HON. S. H. MARLETTE,
Surveyor General :

Sir :

In obedience to the instructions contained in your circular addressed to County Assessors, allow me to submit the following report :

The number of Horses in my county is	-	-	5,000
Number of Cattle	-	-	20,000
Number of Hogs	-	-	33,000
Number of Sheep	-	-	4,200
Number of acres of barley	-	-	40,000
Number of acres of wheat	-	-	8,000


Wheat and barley are the principal products of the county, there being but little of anything else grown.

Very respectfully,
Your obedient servant,

D. P. DIGGS,
Assessor Yolo County.

STATISTICS FROM REPORTS OF COUNTY SURVEYORS AND COUNTY ASSESSORS FOR THE YEAR 1854.

COUNTIES.	Acres cultivated.	Wheat.		Barley.		Oats.		Potatoes.		Horses.	Cattle.	Sheep.	Hogs.	Mules.
		Acres.	Bushels.	Acres.	Bushels.	Acres.	Bushels.	Acres.	Bushels.					
Alameda (A)	61,000	20,000	720,000	24,000	1,584,000	6,000	480,000	5,000	1,000,000	60,000	110,000	20,000	13,000	—
Amador (A)	—	—	16,248	—	27,712	—	13,327	—	—	416	1,158	—	3,673	—
Contra Costa (A) . .	—	—	—	—	—	—	—	—	—	2,953	16,322	13,146	9,508	—
Humboldt (A)	2,500	—	14,000	—	6,000	—	16,000	—	20,000	320	1,400	—	—	—
Los Angeles (A) . . .	20,000	—	*10,088	—	*20,200	—	—	—	\$10,500	15,798	100,531	26,066	1,706	—
Marin (S)	—	—	—	—	—	—	—	—	—	2,000	9,000	2,000	2,000	—
Plumas (S)	—	—	—	—	—	—	—	—	—	200	450	—	200	—
San Bernardino (A) .	—	—	57,960	—	†28,500	—	—	—	2,500	1,700	19,025	9,433	697	191
San Joaquin (A) . . .	—	13,111	—	20,116	—	—	1,954	85	—	3,016	10,215	3,167	9,497	1,063
Santa Clara (S) . . .	29,800	20,000	750,000	5,000	250,000	2,000	60,000	—	10,000	1,200	2,400	1,000	2,000	1,500
Shasta (A)	1,500	—	10,000	—	60,000	—	—	—	—	500	400	—	1,000	—
Sierra (S)	2,500	—	—	—	—	—	—	—	—	400	400	200	1,200	—
..Do.. (A)	—	†800	—	—	—	—	37,500	—	50,000	400	1,200	—	1,000	—
Siskiyou (S)	—	—	50,000	—	20,000	—	12,000	—	600 tons	4,000	1,200	10,000	10,000	—
Solano (S)	17,000	—	300,000	—	240,000	—	—	—	—	5,000	20,000	4,200	33,000	—
Yolo (A)	—	8,000	—	40,000	—	—	—	—	—	—	—	—	—	—

 The initial, A. or S., signifies Surveyor or Assessor's Report.

* Fanegas.

† Wheat, Barley and Corn.

§ Quintales.

NOTES.

Alameda, (S.)—Area, 800 square miles. No mineral lands. Nearly all the arable land claimed by Mexican grants. All "townshipped" by the General Government—none "sectioned." Overflowed and subject to overflow, 20,000 acres. Wheat 36, Barley 66, Oats 80, and Potatoes 200 bushels to the acre. Nurseries, trees, &c., 1,000 acres. Beans, plants, &c., 3,000 acres. Goats, 3,350.

Amador, (A.)—1,141 tons Hay. Arable and grazing lands, 17,443 acres, valued at \$83,725.

Calaveras, (S.)—37,000 acres "taken up" for agricultural and grazing purposes.

Contra Costa, (A.)—"There are 174,473 acres of land held under title in the county."

El Dorado, (S.)—Area, 2,250 square miles; 1,600 mineral—650 not mineral lands. Extensive quarries of marble.

Humboldt, (A.)—412 milch Cows. Arable land, 10,600 acres. Grazing lands, "very extensive."

Los Angeles, (A.)—Fruit trees, 4968. Grape vines, 394,200. Grapes, three million one hundred and thirty-three thousand six hundred pounds. 2,100 fanegos corn; 4,000 fanegos beans.

Marin, (S.)—Area, 700 square miles; two-thirds arable and grazing lands. Nearly all claimed under Mexican grants, and mostly townshipped. Fruit trees, 2,000.

Plumas, (S.)—100,000 acres arable and grazing lands. Forests inexhaustible.

Sacramento, (S.)—All townshipped—none sectioned. Swamp, overflowed, and subject to overflow, 130,000 acres.

San Bernardino, (A.)—2,700 bushels Onions. Grapes, 202,500 lbs. 2,080 bushels corn. 700 bushels beans. 130 goats.

Santa Clara, (S.)—Area, 1,000 sq. miles. Valley land, 293,000 acres. Greater part of county townshipped; none sectioned. Five flour mills, with fourteen run of stone in operation, and three mills, with fifteen run of stone, nearly completed. Wheat damaged by smut 25 per cent,—yield, 30 bushels to acre; barley, 50; oats, 30. Red wood abundant. Large number of mills. New Almaden quicksilver mines, richest in the world. 2,000 acres in vegetables. Applied for statistics, but have not received them yet.

Shasta, (A.)—"64,869 acres used for or adapted to tillage or grazing, and coming under my observation as Assessor."

Sierra, (S.)—30,000 acres of arable and grazing lands; 2,000 acres of swamp and overflowed lands. Gold product, 8 to \$9,000,000.

Siskiyou, (S.)—100,000 acres arable and grazing lands. Swamp and overflowed lands, 25,000 acres.

Solano, (S.)—Whole area, 580,000 acres—land surface, 537,000 acres, water surface, 43,000. Arable lands, 200,000 acres; grazing do., 153,000; timbered do., 130,000; covered by Mexican grants, 400,000; whole, townshipped; five townships and fractions, sectioned; 92,000 acres of the swamp and overflowed lands easily reclaimed; 184,000 acres swamp and overflowed, and subject to overflow. Eighty tons of Onions, and sixty acres of other vegetables. 1500 bushels corn.

Stanislaus.—130,000 acres arable lands on west side of San Joaquin River. Not estimated on east side. Overflowed lands 35 or 40,000 acres, all very valuable.

BEEF CATTLE.

Dr. John B. Trask, State Geologist, furnishes the "Times and Transcript" with the following estimate of the beef cattle in this State:

Los Angeles	101,800
San Bernardino.....	27,000
San Diego.....	8,100
San Luis Obispo.....	12,500
Santa Barbara.....	40,050
Monterey.....	32,900
Alameda	8,200
Contra Costa.....	4,000
Shasta	3,000
Colusi.....	13,000
Butte	1,900
Yuba	3,327
Sutter	11,585
Yolo.....	12,040
Total.....	279,402

THE WHEAT CROP OF CALIFORNIA.

The following interesting information on the amount of wheat raised in California, is from the Prices Current :

Imports of Flour.

	1854.	1853.
Barrels	150,420	299,507
Sacks, (200 lbs).....	67,349	199,143

During the past year the flour market has been completely revolutionized, the product of our own State having taken the place which has been held by the imported article, and it having been demonstrated that the great bulk of the business hereafter to be done will be in the domestic article. As soon as it was discovered that California could grow her own wheat, it became merely a question of time *when* she would do it, and the experience of the past year has demonstrated that but a comparatively short period will elapse before the importation from abroad of this great staple will cease forever. The State has gained as much as could be desired in the demonstration of the fact that she can raise, within her own borders, not only as much, but as good a quality of wheat as any of her neighbors. The converting into equally as good flour as that manufactured abroad, is only a ques-

tion of care, capital and experience, all of which, if not here now in abundance, can be easily brought here.

Without going into more elaborate detail on the subject than is absolutely necessary, we will endeavor to represent the market as it stands at present. According to the most carefully prepared data which we have, we find the following to have been the crop of the year, in the several counties of the State, as estimated immediately before harvest. Of course it is impossible to arrive at perfect accuracy in such a matter, but the figures we give were compiled by parties who traversed the State for the express purpose of getting them together, and are probably much nearer correct than anything which has appeared hitherto :

COUNTIES.								ACRES PLANTED.	AVERAGE.	BUSHELS WHEAT.
Marin	-	-	-	-	-	-	-	335	30	10,050
Sonoma	-	-	-	-	-	-	-	16,353	23 $\frac{1}{4}$	380,207
Napa	-	-	-	-	-	-	-	17,000	20	340,000
Solano	-	-	-	-	-	-	-	6,214	25	155,350
Yolo	-	-	-	-	-	-	-	9,980	25	249,500
Yuba	-	-	-	-	-	-	-	3,655	22 $\frac{1}{2}$	82,237
Butte	-	-	-	-	-	-	-	3,725	22 $\frac{1}{2}$	83,812
Placer	-	-	-	-	-	-	-	1,545	20	30,900
Sacramento	-	-	-	-	-	-	-	3,415	25	85,375
Calaveras	-	-	-	-	-	-	-	2,142	22 $\frac{1}{2}$	48,195
San Joaquin	-	-	-	-	-	-	-	11,340	28 $\frac{1}{4}$	320,355
Stanislaus	-	-	-	-	-	-	-	4,295	14 $\frac{3}{4}$	63,350
Mariposa	-	-	-	-	-	-	-	2,365	15	35,475
Tulare	-	-	-	-	-	-	-	2,920	10	29,200
Contra Costa	-	-	-	-	-	-	-	3,785	21 $\frac{1}{2}$	81,377
Alameda	-	-	-	-	-	-	-	15,490	40	619,600
Santa Clara	-	-	-	-	-	-	-	22,745	20	454,900
Santa Cruz	-	-	-	-	-	-	-	6,530	50	326,500
Monterey	-	-	-	-	-	-	-	745	40	29,800
San Francisco	-	-	-	-	-	-	-	445	30	13,350
Total	-	-	-	-	-	-	-	135,024	25 8-15	3,439,533

NUMBER OF IMMIGRANT CATTLE FOR THE YEAR 1854.

Through Noble's Pass	-	-	-	-	-	23,000
Through Beckwith's Pass	-	-	-	-	-	11,400
By the Gila	-	-	-	-	-	9,000
Through Sonora Pass	-	-	-	-	-	5,000
Through Carson, Georgetown and Nevada Passes	-	-	-	-	-	12,000
						<hr/>
Total	-	-	-	-	-	60,000
Add home stock of 1854	-	-	-	-	-	317,307
						<hr/>
Total of beef cattle for 1855	-	-	-	-	-	377,307

ABSTRACT
OF
SCHOOL LAND WARRANT RETURNS.

[E.]

ABSTRACT OF SCHOOL LAND WARRANT RETURNS.

COUNTIES.	PRIOR TO JANUARY 1, 1854.								FOR THE YEAR 1854.								Total Returns of School Land in Acres.	
	No. of 160-acre Warrants.	Acres.	No. of 320-acre Warrants.	Acres.	Total acres.	160s informal.	160s returned twice.	160s floated.	320s returned twice.	No. of 160-acre warrants.	Acres.	No. of 320-acre warrants.	Acres.	Total acres.	160s informal and returned twice.	320s informal and returned twice.		Floated.
Alameda,	2	320	—	—	320	—	—	—	—	2	320	2	640	960	—	320	320	1,280
Amador,	4	640	1	320	960	640	—	—	—	—	—	—	—	—	—	—	—	960
Butte,	12	1,920	4	1,280	3,200	—	—	—	—	—	—	—	—	—	—	—	—	3,200
Calaveras,	9	1,440	2	640	2,080	—	640	—	320	—	—	—	—	—	—	—	—	2,080
Colusi,	20	3,200	10	3,200	6,400	—	160	—	320	—	—	—	—	—	—	—	—	6,400
Contra Costa,	—	—	3	960	—	—	—	—	—	—	—	—	—	—	—	—	—	960
El Dorado,	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Humboldt,	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Klamath,	2	320	1	320	640	—	—	—	—	7	1,120	7	2,240	3,360	—	—	—	4,000
Los Angeles,	—	—	—	—	—	—	—	—	—	2	320	3	960	1,280	—	—	—	1,280
Marin,	43	6,880	3	960	7,840	—	160	—	320	—	—	—	—	—	—	—	—	7,840
Mariposa,	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mendocino,	16	2,560	12	3,840	6,400	—	—	—	—	—	—	—	—	—	—	—	—	6,400
Monterey,	12	1,920	1	320	2,240	1,280	—	—	—	—	—	—	—	—	—	—	—	2,240

Napa,	11	1,760	4	1,280	3,040	—	—	—	—	1	320	320	—	—	—	3,360		
Nevada,	4	640	1	320	960	—	—	—	—	—	—	—	—	—	—	960		
Placer,	5	800	1	320	1,120	—	—	—	—	—	—	—	—	—	—	11,120		
Plumas,																		
Sacramento,	33	5,280	5	1,600	6,880	—	320	—	—	—	—	—	—	—	—	6,880		
San Bernardino,																		
San Diego,	4	640	5	1,600	2,240	—	—	—	73	11,680	16	5,120	16,800	8,800	3,840	19,040		
San Francisco,	32	5,120	8	2,560	7,680	—	640	320	10	1,600	5	1,600	3,200	—	640	10,800		
San Joaquin,																		
S. Luis Obispo,																		
Santa Barbara	32	5,120	28	8,960	14,080	—	320	—	8	1,280	2	640	1,920	320	640	16,000		
Santa Clara,	27	4,320	6	1,920	6,240	—	—	—	7	1,120	5	1,600	2,720	—	—	8,960		
Santa Cruz,	—	—	1	320	320	—	—	—	—	—	—	—	—	—	—	320		
Shasta,																		
Sierra,	—	—	—	—	—	—	—	—	3	480	1	320	800	480	—	800		
Siskiyou,																		
Solano,	54	8,640	43	13,760	22,400	—	320	320	3	480	—	—	480	320	—	22,880		
Sonoma,	12	1,920	—	—	1,920	—	320	320	—	—	—	—	—	—	—	1,920		
Stanislaus,																		
Sutter,																		
Trinity,	15	2,400	2	640	3,040	—	480	160	—	—	—	—	—	—	—	3,040		
Tulare,	8	1,280	2	640	1,920	—	—	—	—	—	—	—	—	—	—	1,920		
Tuolumne,	16	2,560	5	1,600	4,160	—	—	—	—	—	—	—	—	—	—	4,160		
Yolo,	18	2,880	4	1,280	4,160	—	—	—	2	320	—	320	320	320	—	4,480		
Yuba,	14	2,240	1	320	2,560	—	—	—	—	—	—	—	—	—	—	2,560		
Mare Island,	2	320	—	—	—	—	—	—	—	—	—	—	—	—	—	320		
Total,	407	65,120	153	48,960	114,080	2,720	2,400	960	1,280	117	18,720	42	13,440	32,160	10,240	5,540	1,280	146,240

In addition to the foregoing, there have been located as follows :

In Mariposa, No. 38, for 320 acres. Informal.

Do. Nos. 583, 584, 586, and 587, size not specified. Informal.

Do. One warrant, size and No. not given. Informal.

In San Joaquin, No. 402, for 160 acres, properly located and returned.

In Shasta, Nos. 382 and 383 for 160 acres each. Informal.

In Solano, Nos. 151, 245, 246, 274, and 576. Informal.

NOTES ON THE "ABSTRACT OF SCHOOL LAND WARRANT RETURNS" RECEIVED
"PRIOR TO JANUARY 1, 1854."

1st. 160-acre Warrants.

In Butte county, Nos. 104, 157, 245, and 246. Informal.

In Colusi county, Nos. 130, 131, 174, and 175. Returned twice.

In Contra Costa county, No. 218, previously returned from Sacramento.

In Marin county, No. 446, previously returned from Yolo.

In Monterey county, Nos. 352, 360, 362, 370, 378, 379, 380, 388. Informal.

In Sacramento county, No. 4, also located in Mendocino; and No. 180, returned twice.

In San Joaquin county, Nos. 523, 524, 527, 530, located also in Solano. Nos. 577 and 578, floated in same county. Nos. 63, 64, 65, 66, were floated prior to January 1, 1854; but the returns were not received till since that time.

In Santa Clara county, No. 3, located also in Solano, and No. 371, located previously in Contra Costa.

In Santa Cruz county, Nos. 214 and 215. Informal.

In Solano county, Nos. 52 and 54, floated from Sonoma.

In Trinity county, Nos. 263, 264, 265—informal. No. 78, returned also from Yuba.

2d. 320-acre Warrants.

In Colusi county, No. 262, located also in Sacramento.

In El Dorado county, No. 180, located also in Solano.

In Marin county, No. 142, located also in Santa Clara.

In Solano county, No. 88, located also in Napa.

NOTES OF THE "ABSTRACT OF SCHOOL LAND WARRANT RETURNS," RECEIVED FOR THE
YEAR 1854.

1st. 160-acre Warrants.

In Mariposa county, Nos. 47, 48, 239, *240. Informal.

In San Francisco county, Nos. 79, 71, 72, 134, 135, 136, 137, 332, 333, 367, 368, 398, 399, 403, 424, 429, 430, 431, 432, 444, 458, 472, 473, 485, 509, 510, 543, 544, 550, 620, 624, 625, 648, 654, 659, 660. Informal. (Whole number 36=to 5,760 acres.) Nos. 261, 445, 461, 484, 486, 487, 497, 559, 619. Informal and located twice. (Whole number 9=to 1440 acres. No. 154, previously located in Mendocino.

The above, from San Francisco, were nearly all sent to the late Surveyor General, (without the signature of the County Surveyor), who returned them for informality. They have been recently again received in the same condition.

In San Joaquin county, Nos. 63, 64, 65, 66; floated prior to January 1, 1854; returns received since.

In Santa Clara county, No. 77, previously located in Yuba.

" " 602, " " Sacramento.

" " 575, returned twice from Santa Clara.

" " 576. Informal.

" " 245, 246. Informal. No plat.

In Shasta county, Nos. 382, 383. Informal.

In Siskiyou county, Nos. 646, 658, 661. Informal.

In Solano county, Nos. 51, 534, located twice in Solano.

" " 151, 274, previously located in Mendocino. Informal.

In Yolo county, Nos. 320, 321. Informal and previously located in Marin.

2d. 320-acre Warrants.

In Alameda county, No. 71, previously located in Mendocino.

" " 64, floated from Santa Clara.

In Mariposa county, Nos. 38, 198. Informal.

In San Francisco county, Nos. 123, 141, 148, 171, 221, 229, 230, 231, 267. Informal. (9=2,880 acres.)

[The above nine warrants from San Francisco, were sent to the late Surveyor General, (without the signature of the County Surveyor), who returned them for informality. They have been recently again received in the same condition.]

Nos. 116, 227, 228. Informal and twice returned. (116 previously from Contra Costa.) 227, 228, previously in Los Angeles.

In San Joaquin county, No. 2, floated in same county.

" " 63, 66, previously located in Mendocino.

In Santa Clara county, Nos. 222, 223, previously located in Solano.

" " 152. Informal. No plat.

* No. 240, according to old records, purports to have been issued August 5th, and located August 3d, in San Joaquin County. By this return it purports to have been issued July 8, 1853.

NOTE.—Nos. 583, 584, 586, 587 and one other, of which no number is given, and number of acres not specified, all informal.

[F.]

MISCELLANEOUS.

CAMPO SECO, Calaveras County, December, 1854.

HON. S. MARLETTE,
Surveyor-General :

Sir :

In accordance with the desire of Jno. C. Reid, Esq., County Surveyor of Calaveras, I have the pleasure to forward you a few words upon the geology of the inhabited portion of Calaveras County.

The view that I am enabled to take upon my subject without preparation and upon so short a notice, is neither so extensive nor comprehensive as I should have desired—the few details given having been taken only as notes during recreative moments, and not with the severe accuracy requisite for the embodiment of a statistical report.

The tract to be thus slightly noticed embraces an extent of country between the Moquelumne river and Middle Fork, and the Stanislaus and North Fork, longitudinally; and latitudinally, the space between the foot hills and the head waters of the San Antonio branch of the Calaveras.

Part I. The geological basis of the whole of this division is primitive, in which the metamorphic (or altered stratified) rocks occupy, according to a general estimate, say nine-tenths of that tract. The oldest primitive rocks, (unstratified) consisting of modern California, granite, syenite, etc., are found principally in the east; but instances are not wanting in which masses of that rock shows itself at the surface in the middle districts, as a tract of about four square miles at Moquelumne Hill, and another westward of San Andres.

There is sufficient evidence to show that the appearance of the latter exceptions at the surface proceeded from later igneous causes, and their upheaval took place at a period more recent than the formation of the same description of rock occupying the eastern districts.

Successively after this formation and upheaval, it is apparent that two distinct lines of igneous formation, running in a longitudinal direction, appeared through the metamorphic rocks in which they lay; the one appearing in the longitude of the forks of the Moquelumne river—an injection of basaltic trap and greenstone, in a well defined and regular line, throughout the County north and south; the other laying a mile east of the forks of the Calaveras, less regular, but not less decided, and principally formed through the means of the original bed rock being brought into a high state of incandescence. This line runs in a direction from San Andres to Campo Seco.

It is clear that the tracts called the gold districts, have been subject to a very high and long continued degree of plutonic influence, which extended more or less over all the division herein considered, to a late geological period—most probably to the tertiary era.

Accompanying the graniform rocks eastward, is a group of quartz dikes, upon which many of the gold quartz mines of this County now worked are situate.

Accompanying the trapean system at the longitude of the forks of the Moquelumne, is also a quartz dike group, from the wreck of which has been derived many of the richest placer diggings of the middle districts of this County. And accompanying the incandescent line westward are other lines of quartz, on one of which is the Carson Hill lead, which has been traced southward to a great distance. This group has been the source of much of the wealth of the western placers.

The whole of the quartz dike system is evidently of plutonic origin, and the leads are true metallic veins. These leads run north-west and south-east, but join and branch off from each other irregularly, but in what manner, deeply below the surface, is unknown.

These items show in a very general way the nature of the agency to which the gold districts primarily owe their wealth.

Part 2. Subsequent to this epoch, (the primary state of this tract, the features of which were apparently progressive up to the tertiary geological era without superincumbent change,) the vast auriferous beds of (marine) conglomerates, forming partially the superficial wrecks of the above, have been deposited. Posteriorly arose the advent of the great volcanic period, and more recently the upheaval of the entire continent, after the drift period.

A great extent of country in Calaveras County is covered with conglomerate or gravelly deposits, say to an area of 600 square miles in the aggregate; the principal accumulations thereof exist in the middle and western districts, but more abundantly near the extreme foot hills near the western boundary of the County, than elsewhere. Large conglomerate accumulations exist near the forks of the Calaveras and Moquelumne Hill—also near San Antonio, Vallecito and Murphys.

Many of these deposits are covered by volcanic products of different ages and character, but the principal accumulations of that nature, in point of superficial extent, exist far into the eastern district herein treated of,—where, near the head waters of the San Antonio, a geographical area of about 400 square miles may be seen in uninterrupted succession from one point of view, laying in a general direction from N.E. to S.W. This extensive formation consists of lava form products, in many well defined conformable layers of immense superficial extent, and from 60 to 200 feet or more in general depth, according to the nature of the uneven surface of the primitive rocks or conglomerates upon which it rests. Near Pleasant Valley, 10 miles west of Double Springs, exist similar formations of lesser extent. Much of the same is also found near Moquelumne Hill.

Trachytic lava is found at the Calaveras Peak near Double Springs, at Moquelumne Hill, and Vallecito, forming excellent, durable and fire-proof building stone. A species of clink stone is often found with the volcanic formations. The principal part of the volcanic products have been subaqueously deposited.

Part 3. Micaceous altered rocks most commonly exist in the vicinity of the granites. Talcose schists are usually found near the great quartz leads, to an inconsiderable extent, but where occurring are generally accompanied by richer auriferous deposits than common. There are talcose altered rocks containing lime, westward of the Calaveras Peak. These rocks are also occasionally alkaline. Plutonic alkaline rocks exist near Muquelumne Hill. Dark colored clay slates, highly indurated and crystalline, and quartz ore occur extensively almost everywhere in the tracts under consideration. Light colored chloritic clay slates, containing veins of quartz, occur west of the western quartz group.

Coinciding in general direction and position with the middle plutonic dike, (mentioned as being in the longitude of the forks of the Moquelumne,) exists an extensive bed of white or greyish marble, with blue veins, running entirely through the County southward. A species of travertin exists adjacent thereto, in small quantities—the result of the denudation of the carbonate.

A bed of Calaveras (andesitic) porphyry lies near the forks of the Moquelumne, consisting of whitish nodules, in a black or grey base of angite or hornblende. This as well as the marble (carbonate of lime) before mentioned, is a rock beautifully adapted to building purposes.

Metamorphic limestone is found near the Calaveras Peak, making tolerably good lime for building purposes. The Bear range is supposed to contain magnetic iron, as detached specimens have been found adjacent, on the surface. Platinum has been found in small quantities near the same locality. Gold bearing quartz and placers are also found in this range, but hitherto of limited extent.

Part 4. Within the Bear range are several fine valleys of small extent, well adapted for the purposes of agriculture. In one case a sulphureted spring exists. Sulphur springs exist in many parts of the County with a higher degree of heat than ordinary springs.

South of the head of the San Antonio river, a very porous, granular and coarse grained granite abounds, containing fertile elements of vegetation in an eminent degree. Numerous springs of the purest water constantly issue therefrom. Several small valleys within this district are extremely prolific of vegetation. Gigantic pine timber abounds. The celebrated Mammoth Grove is on a basis of this rock in this locality.

Fine valleys of small extent are to be found upon the granite formation between the Licking and North Forks of the Moquelumne, beyond Silver mountain, north-east, highly capable of cultivation, with abundance of oak timber.

The volcanic formations are nowhere fertile, principally from the extreme porosity of these rocks.

The prolific nature of the soil of the valley of the Calaveras is so well known that it need scarcely be commented upon. It appears to proceed principally from the detritus of the felspathic and clay slates which it traverses in the middle districts.

The general prevention to the agricultural development of the mountains, appears to arise principally from the want of irrigation; more especially when the superabundant presence of one ingredient, as an alkali, iron oxide, or other mineral exists in the soil, requiring a corresponding corrective to latent as well as solar heat, tending to the retention of moisture. For example, I have observed that in our climate, soil highly oxidized with iron, too quickly imbibes the solar heat, and parches and destroys vegetation more rapidly in an exposed than in a sheltered situation from the direct power of the sun—as may be seen by comparing the north and south banks of any of our large mountain streams. These effects would be modified by irrigation in the situations where desirable.

Generally speaking, the superficial covering of the rocks in the mountains (if by the natural process of decay,) is in a state of sub-soil, but wherever the retention of moisture takes place for a longer period than in ordinary cases, as in the valleys of the extreme eastern or western districts, it becomes highly susceptible of cultivation.

I take the liberty with these few imperfect remarks, to close.

Having the honor to remain, Sir,

Your most obedient servant,

WM. PATTON.

U. S. SURVEYOR-GENERAL'S OFFICE, }
 SAN FRANCISCO, NOV. 11, 1854. }

HON. S. H. MARLETTE,
 Surveyor-General :

Sir :

Your letter of the 7th inst. has just come to hand, and the contents duly noted.

It will not be in my power to furnish you with the information desired until the report of the Commissioner of the General Land Office to the ensuing Congress shall be published, which will also embrace my own annual report to the Department, together with a map exhibiting all the data asked for in your letter, so far as the public surveys have been completed, and which it is in the power of this office to give.

In regard to the subject of "swamp and overflowed lands," relating to which you wish a "statement of what would be considered sufficient to establish the fact that any *sub-division* is swamp and overflowed lands, or subject to overflow," I have only to say that such lands are not sub-divided, but simply separated from the public domain by traverse lines, running along their margins, which lines are delineated upon the township plats, thus exhibiting the aggregate area of such lands as are in each township.

For the necessary information in relation to "Geodetic Surveys" of the State, I refer you to section 4 of the "Act to provide for the survey of the public lands in California, &c.," approved March 3d, 1853.

Very respectfully,
 Your obedient servant

JOHN C. HAYS,
 U. S. Surveyor-General, California.

SAN FRANCISCO, NOV. 22, 1854.

HON. S. H. MARLETTE,
 Surveyor-General :

Sir :

I am in receipt of your favor of the 18th inst., and am sorry to find that you did not see the correction which I sent to the Times and Transcript the day after my original communication appeared. The longitude of Holladay & Warner's establishment I gave as 119 degrees, 58 minutes and 45 seconds, which would bring the Mormon station to very near the junction of the 120th meridian and the 39th

parallel. Unfortunately, a typographical error made my conclusions appear unwarrantable. An error was also made in stating Eddy's air-line distance at fifty miles from Placerville to the Mormon station. It should have been sixty. Such he believed it to be, and therefore concluded Carson Valley to be from twelve to fifteen miles beyond the State line.

The pass we called Ebbets' pass, (in memory of Major Ebbets, who went over it in the spring of 1851, with a large train of mules, and who found no snow there in April) I believe to be the lowest and easiest of access between the 37th and 39th parallels. It lies a little south of 38 degrees 30 minutes. We saw it, at a distance of some ten or twelve miles to the east, from a hill above Walker's river, and were to have returned by it; but on our arrival in Carson Valley, on our return journey, Lieut. Moore and Major Ebbets left me in charge of the mules, and returned to California. It was my intention, when the mules had sufficiently recovered and the weather moderated, to have returned by Ebbets' pass; but Lieut. Moore succeeded in getting across the Johnson road so well that he sent me word to push across the mountains at once, by which the exploration of this pass was lost for the time. It appears to be to the north of the head waters of the Mokelumne.

Should you be in San Francisco, I should like to show you a sketch I have of it, as well as its position with respect to the forks of Carson and Walker's river.

However, Eddy's map shows a river running from Pyramid lake into the Yuba or Feather river, which he calls Wilkes river, and the pass in the mountains, Kivkennon pass. Is this a fact? It appeared for the first time in Eddy's map, and has never been commented on. If it is true, here is a pass lower than the level of Pyramid lake, which is one of the lowest points of the Great Basin. Mr. Cleal, the Surveyor, who, I believe, was formerly County Surveyor at Sacramento, says it is a fact, and that he has been through it. If so, then this must be the best pass in the mountains, I imagine, for a railway or mail road. At any rate, it ought to be explored without delay.

If there is any other information I could render of service, I shall always be happy to do so, and am, sir,

Yours faithfully,

GEORGE H. GODDARD.

Extract from a letter from George H. Goddard, Civil Engineer, dated

SAN FRANCISCO, Dec. 8, 1854.

HON. S. H. MARLETTE,
Surveyor General:

Dear Sir:

Your favor of the 25th ult. came duly to hand, and I am very much pleased to think there is a probability that something may be done this season in obtaining geographical knowledge of the mountain district and eastern frontier. Ever since my residence in this country, I have taken great interest in this matter, and have, at different times, made some extensive surveys in Mariposa, Tuolumne, and Calaveras counties. I collected together a large amount of geological detail, and, up to

the period of Eddy's State map coming out, I was always in hopes that positions would be located thereon sufficiently accurate to plat these surveys in a connected manner. Unfortunately, however, all the longitudes given by Eddy, from his own observations, are so very inaccurate, that it is of little or no service for any practical work. What we want is a fairly correct map of the mountain district, and then a vast amount of information, which is now detached and lost, could be rendered of the utmost service. I am now making a map, having the results of the land survey as the base upon which I rest my own surveys and reconnoissances. I wish to include in my map all the information that can be got as far as the 112th meridian, or Salt Lake City, so as to make the map available for marking out any lines of communication, by railroad or otherwise, and I think such a map would be of great practical utility.

Now, if we can include in it the results of a survey of the eastern boundary, and could get any appropriation from the Legislature, it would be of great help. At present, all the results of Trask's labors are, in a great measure, lost, for want of a map to lay them off upon, and I think there are good grounds to ask for a small appropriation, if it were for this purpose alone.

Eddy's map, for instance, places both Sonora and Mokelumne Hill about fifteen degrees, [This, evidently, should be minutes. S. H. M.] too far to the east and Marysville about five degrees. [Minutes.] These I know, and most of the other mountain cities I have reason to believe are likewise wrongly placed.

At the time I crossed the Sierra, last Christmas day, there was nearly four feet of snow on the summit, at Johnson's cut-off road, and the entire distance from Carson Valley to four miles from Placerville the ground was white with snow. Still, I believe that a road, passable at all seasons, could be got with far less difficulty than across the Alps in their easiest passage.

The present roads have not been selected for the lowness of the passes, but to avoid sidling round a mountain. The teamsters go up one side and down the other.

The central ridge overlaps, leaving a number of valleys diagonal with the axis of the chain. The one I spoke of in my former letter appeared particularly suitable for a road, both for its lowness, its central position, and its leading at once to the divide of Carson and Walker's river.

OFFICE OF THE BOARD OF U. S. LAND COMMISSIONERS, }
San Francisco, November 24, 1854. }

HON. S. H. MARLETTE,
Surveyor General :

Sir :—

Your communication of the 22d inst., relative to a list showing the lands granted in California by the California Government under the Mexican domination, with specifications of the number of the case on the docket of the United States Land Commissioners, etc., is duly at hand, and contents noted with care.

In answer I have the honor to state that the present (new) Board has adjudicated 315 claims, and will, perhaps, adjudicate say fifteen more, in the course of ten or fifteen days, making in all about 330 cases, of which the details, according to your expressed desire, could be furnished you by the 6th or 10th of December next.

This work is not a copy or a transcript of any document on file in this office, but must be compiled from the records and papers on file, and will constitute about one hundred pages of demi paper, which must be ruled specially for that purpose, and when the writing is completed, the whole to be bound in a book forming a kind of a docket on a "tabular exhibit form," as per specimen at foot of this.

The whole of this work can be furnished, including paper, ruling, binding, compiling the work, writing it out and certificate of the Secretary, at the rate of one dollar for each case, say from \$315 to \$330, more or less, as the number of the cases to be decided up to the day of the closing of the work would require.

Should you authorize the work to be done, please specify whether by the words "the quantity granted" you mean the quantity granted by the Governor or confirmed by the Board, inasmuch as at times the quantity granted and claimed, varies from the quantity confirmed by the Board.

In regard to the locality (present County) in some instances the petition of the claimant does not show it; also, in some instances the Surveyor General cannot furnish the district where the land is situated, but this is seldom the case.

I am, respectfully,
Your obedient servant,

GEO. FISHER,
Secretary.

SAN FRANCISCO, December 14th, 1854.

HON. S. H. MARLETTE,
Surveyor General :

Sir :—

In compliance with the request which you were pleased to make in reference to the important subject of facilitating intercommunication with our sisters in the Union, by ascertaining the most practicable route for the establishment of a stage road and a railroad, I will, with the greatest pleasure, give you my limited stock of information, and only regret that it is so limited. It is to be hoped, however, that this fact, the fact that I am unable to afford you the information which is of so much importance to this State; and that too, after having made many explorations myself and consulted many which have been made by others,

I am yet unable to give you the exact statistical facts in relation to the altitude of the numerous passes through which the various advocates would like to have the great international road.

I would merely wish to state in advance, that I have become so much wedded to one route, and have permitted my feelings to become so much attached to it that you must look with due distrust upon all I may suggest; and it is to be hoped that the Legislature will assist you by making a liberal appropriation, in order to test, with unerring instruments, all which is now so doubtful.

I am in favor of the route through on the parallel of latitude 41 deg., not strictly because it is the actual center of our possessions, but because I believe it will present fewer obstacles than any other.

I believe that there is a depression on this line, and consequently there is less snow and less gradient, and that a road can be built with less and fewer deflections than on any other route north of the ——— River.

This belief has been confirmed so far as winter explorations can confirm it; it now requires but the test of instruments; that test has only been applied to a limited extent, and, so far as applied, has added confirmation to this conviction.

At the same time in which I made the exploration through Noble's Pass, last winter, and found no obstructions from snow, it was found impracticable to pass through the San Fernando and Tejon Passes south; and it was also found that parties who set out from the great Salt Lake to go south to San Bernardino, only encountered snow as they went south, and that it increased up to the rim of the Great Basin, at which point it was nearly impassable.

Thus showing and proving that there is a depression in the Sierra Nevada, in the Basin, and, I believe, in the Wachatch and Rocky Mountains, on the parallel of latitude 41 deg.; and that the depression is sufficient not only to overcome the difference in latitude, but to bring it up to a temperature in which there cannot be as much snow. And, furthermore, there is none of those abrupt foot-hills at Noble's Pass, which will prove to be a great obstacle at all other points in the Sierra Nevada, in locating and grading a road.

I deem it of the utmost importance that all the routes should be subjected to the test of instruments. And I deem it of paramount importance that the eastern line of our State should be run with a view of State's jurisdiction. There is now a population on the eastern side of the Sierra, on and adjacent to our State line, and the question whether or no they are Californians or Utahians can only be determined by the officers of the State, whose province it is to make the surveys, and fix the boundaries and our line.

Very respectfully,
Your obedient servant,

O. M. WOZENCRAFT.

THE PLAINS AND CALIFORNIA.

The undersigned is now collecting the materials for, and will, in the course of the summer of 1855, publish a book which will contain from 300 to 500 octavo pages—the book to bear the above or a similar title, and to be published upon the plan and for the objects below set forth:

The first part of the work will constitute a complete guide to the traveler, from the valley of the Mississippi to the eastern line of California, and will minutely set forth the geographical and topographical features of the route—the distance from point to point where conveniences for camping exist, and the best information that can be obtained as to the ordinary expenses of the trip.

For the purpose of collecting information for this part of the work, the undersigned will, in May of 1855, fit out and accompany an expedition, which will start from a convenient point in the valley of the Sacramento, and cross the Sierra Nevada at Noble's, or some one of the passes in that range of mountains between Noble's and the Volcano road to Carson Valley, and proceed thence, by the way of Salt Lake City to the Missouri River, by the main emigrant road. The expedition will be accompanied by a competent civil engineer, who will critically examine the road with reference to its grade at various points, and the facilities for and probable cost of such improvement at points now difficult to travel over, as would render the whole a good wagon road. Astronomical and Meteorological observations will be taken along the route, together with a careful admeasurement of the whole distance in miles, by the actually traveled road from point to point.

Arrangements have been made by the undersigned by which he will, from time to time during the present winter, be informed concerning the facilities for crossing the Sierra at the various points above referred to; and from such information, together with careful personal observations hereafter to be made, the precise point of crossing will be fixed upon.

The information gathered as above, carefully arranged and elaborately set forth, will constitute the leading features of the first part of the work.

The second part, it is designed, shall be a repository of practical information, for those who desire to make California a permanent or temporary residence, and will contain a condensed historical sketch of the State from the date of the discovery of the gold mines, down to the year 1855; a full and practical account of the various modes of obtaining gold in the placer diggings and quartz mines, with calculations, based upon reliable data, as to the profits of gold mining, either in placer diggings or quartz veins, and a description of the various kinds of machinery now in use in collecting gold from the mines of California. The agricultural, commercial and general resources of the State, will receive special attention, and the conclusions which may be arrived at concerning any of the various branches of industry treated upon, will be based upon the best data that can be procured.

For the purpose of carrying out the design of the second part of the work, the undersigned will, in course of the present winter, visit, if possible, every County in the State, and take such notes as may aid him in the correction, if correction be found necessary, of such statistical and other information as he is now possessed of, concerning the topics above referred to. By such a course he expects to be enabled to obtain further and better information than could be otherwise procured.

The objects of this work are solely to present to the people of the States east

of the Rocky Mountains, reliable information concerning the facilities of emigrating hither across our own territory, and a true picture of California as it exists, without ornament or varnish. Having resided in California since early in 1849, and during his residence been diligent in the collection of materials which will aid him in carrying out the above plan, the undersigned feels confident that, with these and those he expects to collect in the manner above set forth, the work will fully attain the object desired.

The work will be published in New York as early as October of 1855.

GEORGE H. CAMPBELL.

SACRAMENTO, December 15, 1854.

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[Document No. 6.]

IN THE ASSEMBLY.]

[SESSION OF 1855.]

ANNUAL REPORT

OF THE

ATTORNEY-GENERAL.

B. B. REDDING, STATE PRINTER.

ANNUAL REPORT OF ATTORNEY-GENERAL.

ATTORNEY-GENERAL'S OFFICE,
Sacramento, December 15, 1854. }

To his Excellency, JOHN BIGLER,

Governor of the State of California :

SIR—

In accordance with the requirements of law, I hereby submit to your Excellency the following Report. As far as I have been able to ascertain, the criminal law of the State has generally been found, during the past year, as effective in punishing and preventing the commission of crime, as could be expected from the peculiar condition of our society.

There are, however, some defects in our criminal code, which I think should be amended.

Among these I would suggest, that a clause be inserted in the "Act concerning Crimes and Punishments," defining and affixing a punishment to the offense of riot. As the law now stands, it is necessary to resort to a somewhat forced construction to find authority to indict and convict for this misdemeanor.

Much doubt has always existed as to the propriety and expediency of legal enactments against dueling. But the Constitution of this State condemns it, and we have a statute defining it as a crime, and affixing to it a punishment.

Owing, however, to the wording of the Act, all persons who may, by their presence, aid or sanction the fighting a duel, are more or less involved in the guilt of the principal parties.

When called upon as witnesses to prove the commission of the offense, they can, and we know they invariably do, refuse to give evidence, shielding themselves behind the well-known maxim, that no one is bound to criminate himself. If the law against dueling is right, it is right that it should be effective and capable of being executed. I therefore recommend that the Act be so amended as

to extend to principals, only ; and thus, by exonerating all other persons who may be present, from criminal liability, deprive them of their excuse for refusing to testify.

I would also suggest, that section sixty of the same Act be amended, so as to deprive the jury of the power to inflict the penalty of death for grand larceny.

The history of criminal jurisprudence shows that the efficacy of punishment in preventing the commission of crime, depends not so much upon its severity, as its certainty ; and that, when the severity of punishment is out of all proportion to the enormity of the offense, the difficulty of convicting and punishing increases in the same ratio.

It is true, that, by this law as it now stands, the question of punishment is left entirely to the discretion of the jury, and it may be said that this is a sufficient security against the unnecessary infliction of the death penalty. But experience in this State has proved, that the intervention of a jury is not always a protection against the violent passions of the mass of the people, lashed into fury by sudden causes. Hence it is, that this discretion is liable to be abused, and persons accused of this crime may be doomed to death, where such a punishment would be equally cruel to them and useless to the community.

Indeed, it is difficult to conceive of a case of *mere simple larceny*, deserving the punishment of death ; yet we know that it has been inflicted in this State.

Besides, if it is right to intrust juries with so great a discretionary power over this particular offense, why not over all other crimes ? What reasons exist for it in this case that do not apply with equal force to other felonies ?

I recommend that the Act of May 18, 1853, prescribing the manner of applying for pardons, be amended so that its provisions may extend to applications for pardons by persons convicted of murder, or other crimes punishable with death, and that during the pendency of such application, the Governor have the power to suspend the execution of the judgment.

It is a matter of grave doubt whether, under our Constitution, the Executive has the power to commute the sentence of a Court in capital cases. At the same time, it is generally conceded, that there may be cases in which it would be cruel and unnecessary to mete out the extreme penalty of the law, and where a pardon would be equally improper.

To meet the exigencies of such a case, it is desirable that the power should exist, somewhere, to change the punishment so as to render it commensurate with the actual degree of guilt involved in the particular offense.

This power, I think, should be in the Governor ; and as there can be but little doubt of the power of the Legislature to confer it upon him, I recommend the passage of an Act to that effect.

The Supreme Court of this State, at its October Term decided, that the testimony of a Chinese was inadmissible against a white person. The decision, however, was not the unanimous opinion of the Court, and some doubt may exist as to its propriety. That the evidence of all Asiatics ought by law to be excluded, I believe is generally admitted. The same reasons of a political character which exist for the exclusion of Negroes and Indians as witnesses, apply with equal force to such Asiatics as usually immigrate to this State ; while in veracity and other moral qualities, they are beneath either of those races.

The decision of the Supreme Court will lose none of its binding efficacy by receiving the Legislative sanction. I therefore recommend, that the law be amended so as to exclude Asiatics, by name, as witnesses against white persons, both in criminal and civil trials.

The eleventh section of Article XI. of the Constitution, prescribes that "suits may be brought against the State in such a manner and in such Courts, as shall be provided by law."

No statute has yet been passed giving effect to this provision of the Constitution. The mode hitherto resorted to to enforce claims against the State, where there has been no appropriation for their payment, has been by applying to the Legislature for relief. This necessarily consumes much of the time of that body, and interferes with its legitimate business.

Besides, it is not to be supposed that a body so large and cumbrous as our Legislature, and having so many aims and objects to occupy its attention, can as fully examine into the facts upon which a claim for relief is based, and draw a conclusion as to its merits, as the legal tribunals of the land. Good policy, therefore, in my opinion, requires that a law be passed giving to this clause the force and effect contemplated by the Constitution.

I am of opinion, that the "Act Defining the Time for commencing Civil Actions," should be amended so as to extend the period in which actions for the recovery of real property may be maintained. Five years—the time prescribed by the law as it now is—under any circumstances would be considered a very brief period, but especially so in this State, where the greater portion of land titles are so much involved, that many years must elapse before they can be finally settled.

One great obstacle in the administration of justice in this State, is the difficulty of obtaining, on appeal, a full and true record of the proceedings of the Court below in jury trials.

In order to remedy this inconvenience, I recommend the passage of a law requiring the Courts, in all trials by jury, whether civil or criminal, unless specially waived by the parties or their counsel, to write down each ruling, decision or instruction, before it shall be given; and that such ruling, decision or instruction, after it shall have been read aloud for the benefit of the parties and the jury, shall be filed by the Clerk and made a part of the record.

Up to the present time, no reports have been received from the different District Attorneys of the State, as to the condition of public business within their respective counties.

The condition of business in my own office, will appear from the transcript of my official docket, hereto annexed.

Among the proceedings instituted by me, is an information now pending in the District Court of the Sixth Judicial District, against the occupants of what is known as the Leidesdorff property, for the recovery of that portion of it situated in Sacramento County.

In a communication dated March 3, 1854, addressed by me to your Excellency, I give it as my opinion that the estate of Leidesdorff had escheated to the State, and recommended the passage of certain laws, which I considered necessary for the successful vindication of the rights of the State.

I would here again call attention to the opinions and suggestions then given, and, in addition, would recommend that a fund be appropriated for the payment of necessary expenses incurred in the prosecution of this and other claims similarly situated, several of which are known to exist.

Without this is done, I see no hope of a successful termination to the proceedings on the part of the State; for a great portion of the evidence upon which the State must rely, is in foreign countries, and can only be obtained by the expenditure of a considerable sum.

In the event of the Legislature failing or refusing to act upon these suggestions, I recommend that the Legislature pass an act authorizing the sale of the State's interest in this property, and empowering the purchasers to prosecute its claim thereto.

The authority to sell could be conferred upon the Board of California Land Commissioners, now in existence, without additional expense to the State.

A number of other actions have been brought by me on behalf of the State, the nature of which will appear from the transcript of my official record, herewith transmitted.

All of which is respectfully submitted.

J. B. McCONNELL,

Attorney-General,

TRANSCRIPT OF ATTORNEY-GENERAL'S DOCKET.

THE PEOPLE *vs.* CURTIS, APPELLANT.

Supreme Court.

This was an appeal from the District Court of Sutter County. Indictment and conviction for grand larceny. Appeal dismissed January Term, 1854.

THE PEOPLE, APPELLANTS *vs.* AH CHUNG, RESPONDENT.

This was an appeal from the Court of Sessions of San Francisco County. The defendant was convicted of the crime of grand larceny. The principal error assigned was, that but one Justice of the Peace, in addition to the County Judge, composed the Court at the time of his trial.

G. B. POST ET ALS. *vs.* HERMANCÉ ET ALS.

District Court, Fourth Judicial District.

This was an action brought by the plaintiffs, G. B. Post and others, against the Board of California State Land Commissioners, for the purpose of restraining the sale of certain lots situate within the water line front of the City of San Francisco. Upon argument, the injunctions were dissolved, and the Board of Commissioners allowed to proceed to sell.

THE PEOPLE *vs.* GEO. W. HALL.

This was an appeal from the judgment for murder, by the District Court of Nevada. The defendant was convicted and sentenced at the September Term of the District Court, 1853. An appeal was taken to the Supreme Court, and argued at the January Term of that Court. There being but two Justices on the Bench, and they disagreeing, it was ordered to be reargued. A reargument was had at the May Term, 1854, and judgment reversed at October Term, 1854.

THE PEOPLE *vs.* WILLIAM H. WHITE.

District Court. Fourth Judicial District.

Complaint filed. This action was brought on the 17th of January, to recover the sum of seven thousand seven hundred and fifty dollars, being the difference between the amount for which a certain water lot (Lot No. Seventy-Five) was sold by the State Land Commissioners, on the 20th October, 1853, and the sale made by the same on the 20th December, 1853. The cause was not tried until November, 1854. The Court has it now under advisement.

THE PEOPLE *vs.* PERALTA.

Supreme Court.

Indictment for an assault with a deadly weapon with intent to inflict a bodily injury. Appeal from Contra Costa. This cause was submitted on written arguments. The Supreme Court, at its May Term, held at San José, 1854, decided that the Court erred in permitting Cole, a juror, to sit on the jury—he not being a resident of the county where the offense is charged to have been committed. The facts are, that Cole, although he had been for five or six weeks in the County of Contra Costa, (the venue,) yet in his examination as to his qualifications as a juror, answered, that he considered himself a resident of Shasta County, in this State. The decision of the Court amounted to this, viz: That an intention, as well as an act, was necessary to constitute a residence.

THE PEOPLE *vs.* MCLOSKY.*Supreme Court.*

An Error from San Francisco County. This was a writ of error to the Court of Sessions of San Francisco County. The defendant had been convicted of an assault with intent to commit a bodily injury. It was heard at the January Term, 1854, and judgment of the Court of Sessions reversed.

THE PEOPLE *vs.* KOHLE.*Supreme Court.*

An appeal from District Court, Tenth Judicial District, for Yuba County. The defendant was convicted of the crime of murder at the term of said District Court. Defendant appealed to Supreme Court. Cause argued in February, 1854. The Court disagreed, there being but two Judges on the Bench. Cause was then ordered for reargument at the May Term, 1854.

THE PEOPLE *vs.* JAMES LOGAN.*Supreme Court.*

Appeal from District Court of Eleventh Judicial District, El Dorado County. This cause was heard by the Supreme Court at its May Term, 1854. The judgment was reversed and the case remanded, because of the sickness and absence of his (defendant's) counsel. A new trial was had, and defendant has been convicted and executed.

THE PEOPLE *vs.* THOMPSON.*Supreme Court.*

An appeal from District Court of the Fifth Judicial District, for Calaveras County. This was a conviction for murder, committed in the County of Calaveras. The defendant appealed to the Supreme Court. The cause was heard at the May Term, 1854, of the Supreme Court. The judgment was affirmed.

THE PEOPLE *vs.* THOMAS COWAN.*Supreme Court.*

An appeal from District Court of the Fifth Judicial District, Mariposa County. This was an indictment and conviction for murder in the County of Mariposa. Defendant appealed to Supreme Court. The cause was argued at the May Term, 1854. The defendant having made his escape from prison, no judgment has yet been given by the Supreme Court.

THE PEOPLE *vs.* JAMES STEWART, APPELLANT.*Supreme Court.*

The defendant was convicted of murder, in the District Court of Trinity County, and appealed from the judgment to the Supreme Court. The appeal was argued at the June Term of the Court, and the judgment was affirmed, the District Court ordered to fix a day for the execution. The defendant has since appealed from the order of the District Court, appointing a time, which appeal is now pending.

THE PEOPLE *vs.* ROBERT BRUCE, APPELLANT.*Supreme Court.*

This was a conviction for murder, in the District Court of Tuolumne County. The defendant appealed to the Supreme Court. The appeal was heard at the October Term, 1854. The judgment was affirmed and defendant executed in pursuance thereof.

S. HEYDENFELDT, APPELLANT *vs.* HERMANCE ET AL., RESPONDENTS.

Supreme Court.

Action to compel State Land Commissioners to execute deeds to certain property in San Francisco, sold by them, to Heydenfeldt. Submitted on written argument in vacation next preceding the October Term, 1854. Judgment for appellant, and Commissioners ordered to execute good and sufficient deed to the property mentioned in appellant's bill.

THE PEOPLE *vs.* HYAM JOSEPH.

District Court, Twelfth Judicial District.

Action to recover the difference between a sale and re-sale of Lot No. Seventy-Five in the City of San Francisco; complaint filed Nov. 24, 1854. The action is now pending.

THE PEOPLE *vs.* H. F. DANA.

District Court, Twelfth Judicial District.

This, like the preceding one, is an action for the recovery of the difference between the sale and re-sale of certain water lot property, in the City of San Francisco, sold by the California Land Commissioners. No trial has, as yet, been had.

ARGENTI *vs.* THE CITY OF SAN FRANCISCO.

District Court, Twelfth Judicial District.

This is an action brought by the plaintiff, Felix Argenti, to quiet the title to certain slip or water lot property in the City of San Francisco. The plaintiff purchased, as he alleges, the property at Constable's Sale, under execution against the city. The State has intervened to prevent the decree prayed for by the plaintiff. The plaintiff demurred to the people's bill of intervention, and the Court now has it under advisement.

THE PEOPLE *vs.* TALMADGE.*Superior Court of the City of San Francisco.*

Complaint filed December 9, 1854. This is an action for the recovery of the difference between the sale and re-sale of certain water lot property in the City of San Francisco, sold by the Board of California Land Commissioners. The cause is still undetermined.

THE PEOPLE *vs.* H. CASEMENT.*Superior Court of the City of San Francisco.*

Complaint filed December 13, 1854. This is also an action for the recovery of the difference between the sale and re-sale of certain water lot property in the City of San Francisco, sold by the Land Commissioners. It is still pending.

THE PEOPLE *vs.* JAMES M. RAY.*Superior Court of the City of San Francisco.*

Complaint filed December 14, 1854. This is an action of precisely the same character as the preceding one, and, like that, remaining undecided.

THE PEOPLE *vs.* H. C. PERRY, JR.*District Court, Twelfth Judicial District.*

Complaint filed December 14, 1854. This is also of the same character as the preceding ones, and is still pending.

THE PEOPLE *vs.* J. L. FOLSOM.*District Court, Sixth Judicial District.*

Information filed September, 1853. This is an information on behalf of the State against J. L. Folsom, the claimant adversely to the State of what is known as the Leidesdorff Estate. The information sets forth that Leidesdorff died intestate in what was then known as the territory of Upper California, in the year 1845. That at the time of his death he was seized of certain real estate in what is now the County of Sacramento, and, at the time of his death he had no heirs capable of inheriting the same. It therefore claims the property as having escheated to the State.

THE PEOPLE *vs.* GERKE.*District Court, Fourth Judicial District.*

Information filed September 8, 1854. In August, 1853, one August Deck died in the City of San Francisco, seized of a large amount of real estate situated in said city. He did not devise his property, nor had he any relatives in the United States—his heirs are supposed to reside in the kingdom of Prussia. This information has been filed against Gerke, the administrator, on the ground that the property has escheated to the State.

Besides these cases, there were brought several actions by the Pacific Mail Steamship Co. against the Sheriff of Solano County to restrain the collection of Taxes. The Attorney-General attended to them in the United States District Court, but as he did not consider them within the scope of his regular duty, he has not put them down in his docket.

[Document No. 7.]

IN THE ASSEMBLY.]

[SESSION OF 1885.

ANNUAL REPORT
OF
QUARTER-MASTER
AND
ADJUTANT-GENERAL.

B. B. REDDING, STATE PRINTER.

ANNUAL REPORT

OF

QUARTER-MASTER & ADJUTANT-GENERAL.

STATE OF CALIFORNIA,
OFFICE QUARTER-MASTER AND ADJUTANT-GENERAL,
Sacramento, December 15, 1854. }

To his Excellency, JOHN BIGLER,
Governor and Commander-in-Chief of California State Militia.

SIR—

Pursuant to the requirements of the Act concerning the organization of the Militia, I have the honor to submit the following Report:

I have received the following arms, accouterments and ammunition since my last Annual Report, viz :

From Capt. Ch. P. Stone, Commanding U. S. Arsenal, Benicia, June 22, 1854.

111 Percussion Muskets;
60 Artillery Swords;
50 Percussion Rifles;
60 sets Accouterments for Muskets;
51 do. do. do.;
50 do. do. for Rifles;
50 Percussion Pistols;
60 Cartridge-box Belt Plates;
112 Bayonet Scabbards;
60 Covers (extra) for Small-Arms;
2 Vent Covers;
17 6-pounder Canister (fixed);
100 do. Round Shot do.;
50 Horse-Artillery Swords;
50 do. do. Belts and Plates;
2 spare Wheels;
25 lbs. Olive Paint.

Also, from Capt. Stone, September 29.

12	Non-commissioned Officers' Swords;	
12	do.	do. do. Belts and Plates;
50	Horse-Artillery Sabers, Belts and Plates;	
11,500	Musket Br. B. Cartridges;	
6,000	do. Blank	do.;
10,000	Rifle Ball	do.;
5,000	Rifle Blank	do.;
33,000	Percussion Caps.	

Also, from Capt. Stone, November 9, 1854.

111	Percussion Muskets;	
50	do.	Rifles;
60	Artillery Swords;	
111	sets Accouterments for Muskets;	
50	do.	do. Rifles;
50	Percussion Pistols (Cavalry);	
50	pairs Holsters;	
60	Cartridge-box Belt Plates;	
112	Bayonet Scabbards;	
60	Covers (extra).	

Also, from Capt. Stone, June 14, 1854.

52	Bayonet Scabbards.
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Also, from Capt. Stone, July 26, 1854.

2	6-pounder Brass Guns;
2	do. Caissons;
2	do. Carriages;
4	sets Harness (wheel) for two horses;
4	do. do. (leading)' do.;
4	Handspikes;
4	Haversacks;
4	Tube Pouches;
4	Thumb Stalls;
4	Sponges and Rammers;
4	Priming Wires;
4	Sponge Covers;
4	Linstocks;
1	Worm and Staff;
2	Sponge Buckets;
2	Tar Buckets;
2	Prolonges;
2	Vent Punches;
2	Gunners' Pincers;
2	Tow Hooks;

- 2 Tangent Scales;
- 2 Gunners' Gimlets;
- 2 Tarpaulins;
- 8 Bricoles;

From Capt. Thos. D. Johns, Commanding First California Guards, (Artillery,) - September 22.

- 84 Percussion Muskets;
- 54 Cartridge Boxes;
- 30 do. do. Belts and Plates;
- 18 do. do. do.;
- 23 Bayonet Scabbards;
- 23 Cap Pouches.

I have just been advised by the Colonel of Ordnance, that instructions had been forwarded to Captain Stone directing him to issue, upon my order, the following Stores, viz :

- 250 Muskets, with Accouterments complete;
- 100 Rifles, do. do. do.;

SCHEDULE

OF ARMS, ACCOUTERMENTS AND AMMUNITION ISSUED SINCE MY LAST
ANNUAL REPORT, BY ORDER OF THE COMMANDER-IN-CHIEF.

To City Guards, San Francisco, Capt. John A. Clark.

60 Percussion Muskets;
60 Cartridge Boxes;
60 do. do. Belts and Plates;
60 Waist Belts and Plates;
60 Musket Appendages;
60 Artillery Sabers;
60 do. do. Belts and Plates.

To Sonora Greys, Sonora, Tuolumne County, Capt. J. D. Darden.

60 Percussion Muskets;
60 Cartridge Boxes;
60 do. do. Belts and Plates;
60 Waist Belts and Plates;
60 Musket Appendages;
60 Bayonet Scabbards;
1,500 Musket Br. B. Cartridges;
1,000 do. Blank do.;
3,000 Percussion Caps.

To Columbia Fusileers, Tuolumne County, Capt. Thos. N. Cazneau.

52 Percussion Muskets;
52 Cartridge Boxes;
52 do. do. Belts and Plates;
52 Waist Belts and Plates;
52 Musket Appendages;
52 Bayonet Scabbards;

To Sierra Guards, Downieville, Capt. D. E. Hungerford.

60 Percussion Muskets;
60 Cartridge Boxes;

60 Cartridge Boxes, Belts and Plates;
 60 Waist Belts and Plates;
 60 Cap Pouches;
 60 Bayonet Scabbards;
 4 Non-commissioned Officers' Swords;
 4 do. do. Belts and Plates;
 2,000 Br. B. Cartridges;
 3,000 Percussion Caps.

To Coast Rangers, Crescent City, Capt. D. M. Thorpe.

35 Percussion Rifles;
 35 Cartridge Boxes;
 35 do. do. Belts and Plates;
 35 Gun Slings;
 35 Rifle Appendages;
 4 Non-commissioned Officers' Swords, Belts and Plates;
 2,000 Rifle Ball Cartridges;
 3,000 Percussion Caps.

To Klamath Rangers, Crescent City, Capt. Wm. J. Terry.

50 Percussion Rifles;
 50 Cartridge Boxes;
 50 do. do. Belts and Plates;
 50 Cap Pouches;
 50 Gun Slings.

To County Judge of Klamath County.

20 Percussion Muskets.

To Trinity Guards.

50 Percussion Muskets;
 50 Cartridge Boxes;
 50 do. do. Belts and Plates;
 50 Musket Appendages;
 50 Bayonet Scabbards;
 50 Cap Pouches;
 50 Waist Belt Plates;
 4 Non-commissioned Officers' Swords;
 4 do. do. do. Belts and Plates;
 3,000 Musket Br. B. Cartridges;
 3,500 Percussion Caps.

To Los Angeles Rangers, Capt. A. W. Hope.

12 Army Revolvers.

To Santa Barbara Mounted Riflemen, Capt. Henry Carnes.

- 17 Percussion Muskets;
- 50 do. Rifles;
- 50 Cartridge Boxes;
- 50 do. do. Belts and Plates;
- 50 Waist Belts and Plates;
- 30 Cavalry Sabers.

To Jesus Maria Guards, Capt. A. C. Lewis.

- 40 Percussion Muskets;
- 40 do. do. Appendages;
- 37 Cartridge Boxes;
- 32 do. do. Belts and Plates;
- 32 Bayonets;
- 32 Waist Belts and Plates.

To First California Guards, Capt. Thos. D. Johns.

- 2 6-pounder Brass Guns;
- 2 do. Gun Carriages;
- 4 sets Wheel Harness for 2 Horses;
- 4 sets Leading do. do.;
- 4 Handspikes;
- 4 Haversacks;
- 4 Tube Pouches;
- 4 Thumb Stalls;
- 4 Sponges and Rammers;
- 4 Priming Wires;
- 4 Sponge Covers;
- 4 Linstocks;
- 1 Worm and Staff;
- 2 Sponge Buckets;
- 2 Tar Buckets;
- 2 Prolonges;
- 2 Vent Covers (leather);
- 2 Gunners' Pincers;
- 2 Tow Hooks;
- 2 Tangent Scales;
- 2 Gunners' Gimlets;
- 2 Tarpaulins (large);
- 8 Bricoles;
- 2 spare Wheels;
- 25 lbs. Olive Paint;
- 17 6-pounder Canister (fixed);
- 100 do. Round Shot;
- 50 Horse-Artillery Sabers and Belts.

The arms and other effects in my possession, are all in good condition and ready for use.

There has been expended for the care, repair, preservation and transportation of State Arms, and for rent of a State Arsenal, since my last Annual Report, the sum of Eight Hundred and Thirty-Five Dollars.

I would beg leave, in this connection, to call the attention of your Excellency to the increasing necessity for a suitable building, to be used as a State Arsenal.

The State of California is now entitled to an annual appropriation of Arms, Accouterments and Ammunition, drawn in such of Artillery, Cavalry or Infantry implements as may be required, at a yearly cost to the General Government of from \$18,000 to \$20,000, exclusive of transportation.

For the protection of this valuable property, the State should make provision at an early period.

The following Volunteer or Independent Companies have been organized during the present year, viz :

CITY GUARDS, (Artillery,) San Francisco ; Capt. John A. Clark.
 SONORA GREYS, (Infantry,) Sonora ; Capt. Jas. D. Darden.
 COLUMBIA FUSILEERS, (Infantry,) Columbia ; Capt. Thos. N. Cazneau.
 JESUS MARIA GUARDS, (Infantry,) Jesus Maria ; Capt. A. C. Lewis.
 KLAMATH RANGERS, (Rifles,) Crescent City ; Capt. W. J. Terry.
 TRINITY GUARDS, (Infantry,) Weaverville ; Capt. E. A. Rowe.
 SIERRA GUARDS, (Infantry,) Downieville ; Capt. D. E. Hungerford.
 SANTA BARBARA MOUNTED RIFLEMEN, (Cavalry,) Santa Barbara ; Capt. Henry Carnes.
 COAST RANGERS, (Rifles,) Crescent City ; Capt. D. W. Thorpe.
 MOUNTED RANGERS, (Cavalry,) Los Angeles ; Capt. John H. Huges.

Making ten in all, numbering an aggregate of seven hundred men.

There has been organized, since my last Annual Report, a Volunteer Battalion in the City of San Francisco, composed of the following Companies, viz :

National Lancers, (Cavalry.)
 San Francisco Blues, (Infantry.)
 First Light Dragoons, (Cavalry.)

Under the command of Major Joseph R. West.

I am informed, also, that efforts are now being made in the Counties of El Dorado, Placer, Nevada, San Francisco and Sacramento, to form new volunteer companies.

The discipline and military skill displayed by our volunteer corps is such as not only to render them effective and useful in cases of emergency, but they are the pride of our people and the ornament of our young State, and as such are entitled to great credit.

These new companies comprise one-half of our entire volunteer force. They have been organized, many of them, with a view of rendering immediate service in their respective localities, either in protecting the community from Indian depredations, or in aiding the civil authorities in maintaining order, and they should be perpetuated.

The promptness and energy with which our citizens respond to the call for aid and protection, from whatever source it may arise, and organize themselves into active military companies, prepared to do effective duty in defending the lives and property of our people, without the hope of reward, and oftentimes at great personal risk and expense, is a theme of congratulation for every true

citizen of the country. Let these noble acts be once duly appreciated, and let measures be taken to encourage and perpetuate these organizations, and the sovereignty of California has nothing to fear. This, our main arm of dependence, should be cheerfully and vigorously sustained.

The Commander-in-Chief is aware that, apart from our volunteer force, no troops of the State bear arms or do any active duty. Our citizens form companies and tender their services to the civil authorities of the State, yet they can claim no right or privilege, excepting such as may be granted them by Legislative enactment. They create an element of power by which order is to be maintained, and protection afforded, when all civil force has failed. They are a part of the government, and give vitality to law. These organizations are prompted by a sense of patriotic duty, and our volunteers have a right to expect the State to pay the expenses incident to the service. Whilst the policy of our institutions does not render the existence of large standing armies necessary in times of peace, a citizen soldiery, properly organized, has been found to be the most reliable alternative to defend and uphold the majesty of the laws and sovereignty of the State.

With proper encouragement, the volunteer force of California, located as it will be in all the settled portions of the State, will soon possess sufficient influence and power to accomplish all that is contemplated in its establishment, with less expense of life and treasure than would be required if our citizens were without arms and ignorant of their use; its mere existence will have a tendency to check and overawe forcible resistance to the laws, in whatever form it may present itself; and in case of warlike demonstrations, either within or beyond the limits of the State, it will serve as a nucleus around which to rally the two hundred thousand men of the State liable to do military duty, ready at once to impart instruction and discipline.

California is a nation in and by herself;—her population is large, composed of men of every nation and tongue, scattered over her entire territory;—her thoroughfares, her extensive valleys and her mountain gorges, are lined and dotted with large cities and populous towns, and her chief metropolis is the great mart of the Pacific coast.

The people of these cities and towns have an interest in the existence of an active military force sufficient to defend their persons and protect their property, and they are willing to pay for its support.

I would recommend, therefore, the propriety of adopting measures which would encourage our volunteer companies, by relieving them of the great pecuniary embarrassment under which they are now struggling.

Encampments doubtless afford the best possible opportunities for every species of military drill, investigations and discussion.

A comparison of companies, officers and men, would have a tendency to incite emulation and arouse a military enthusiasm whose influence would be felt throughout the State, resulting in elevating and fitting our volunteer corps for a sphere of usefulness still higher than that which they now occupy.

Annual encampments should be established by law, and all our volunteer companies required to attend them.

Our militia laws should be amended and codified. They should not only conform to the requirements of the constitution and laws of the United States, but should set forth clearly the duties of all officers created under them.

The provisions of the existing laws conflict in many important particulars, and these discrepancies do and will continue to operate as an incubus upon our Military progress.

We have now two distinct systems, with officers appointed under each, who claim jurisdiction over the same identical duties, under the provisions of the military Acts upon our statute books.

These discrepancies should be removed, and a system of enrolment established which will secure full and complete returns of the military of the State.

In conclusion, I can but earnestly hope that the militia of the State of California may receive that attention at the ensuing session of the Legislature which its importance demands.

I have the honor to be

Your Excellency's

Most Ob't Serv't,

WM. C. KIBBE,

Quarter-Master and Adjutant-General Militia, State of California.

IN THE ASSEMBLY.]

[SESSION OF 1855.

COMMUNICATION

FROM

QUARTER-MASTER-GENERAL.

[B. B. REDDING, STATE PRINTER.

COMMUNICATION

FROM

QUARTER-MASTER-GENERAL.

TO THE HON. THE SENATE AND ASSEMBLY
OF THE STATE OF CALIFORNIA :

The undersigned, on behalf of the Volunteer Militia of this State, begs leave to submit the following communication, calling your attention to the importance of a change in the present militia laws, and hopes the subject treated will receive that notice at your hands which its consequence demands :

It is well known that the militia laws of California do not require any but Volunteer troops to bear arms or perform any active duty in time of peace ; that the spirit of the Constitution of the United States, and the legislation of the several States, have always recognized the militia of the country as the right arm of the national defense ; that our people have always regarded large standing armies with jealousy and distrust, reposing confidence in the efficiency of the few, and that, while only a small Volunteer force is permitted by the policy of our Government to be retained in organization destined as a nucleus around which the patriots of the country may with confidence rally in time of war, invasion or insurrection, and to whom they must look for instruction and discipline, yet the authorities of California have failed to extend to this branch of the public service that encouragement and support which its imperative needs require.

The vitality of the militia of the country is vested in the organized, uniformed, equipped and disciplined companies of citizen soldiery scattered throughout the land. To them the country looks for prompt and effective resistance to unexpected invasions, for the officers, by their familiarity with military duties, are qualified to organize and discipline the troops which may be summoned to defend and uphold the banner of our country in times of danger, to suppress mobs and riots, to maintain inviolate the majesty of the civil law and keep alive a military spirit so essential to the welfare of our country.

Let adequate aid be given to the military companies within our limits, and the good effect will soon be manifest, not only in the numerous and effective corps which would be speedily organized, but in the prompt and efficient support which would thus be afforded to the administration of our civil laws.

The State of California has now within her limits twenty-four Volunteer companies, numbering an aggregate rank and file of sixteen hundred men. Most of these companies are duly organized, armed, equipped, and ready for immediate service.

The expenses incident to these organizations are large and onerous. Besides the value of time expended in drill, practice, parades and company meetings, they have each to pay considerable sums for rent and keeping in order of rooms necessary for the preservation of their arms and accouterments and for company drill. These expenses should be borne by the citizens of the State entitled to do military duty, and I would most respectfully suggest the propriety of imposing a *per capita* tax of say twenty-five or fifty cents upon each of our citizens entitled to do duty, the same to be appropriated for the benefit of our Volunteer troops. Any legislative action calculated to meet their necessities would be regarded by them as a guarantee that their services, sacrifices and efforts for the general welfare are at length understood and appreciated, and, at the same time, furnish an additional incentive to renewed energy and zeal in perfecting their organizations and discipline, and fitting themselves for a higher sphere of usefulness. No one who has duly investigated this subject as connected with our State and National welfare, will for a moment doubt the policy of extending immediate support to our Volunteer companies.

When we contemplate the isolated and defenseless condition of California, situated as she is on the extreme outpost of the Republic, having a sea-coast equal in extent to all the States upon the Atlantic, from South Carolina to Massachusetts, inclusive—contiguous to two powerful nations with vast military establishments—separated from the Atlantic States by a distance of thousands of miles, and by a range of mountains, the transit over which is sometimes impassable, and always tedious and difficult—having numerous tribes of hostile Indians upon her borders and within her territory—with a population in whose constituent parts may be found men of every nation and tongue, many of whom have few interests in common with us, save in the yield of our gold-producing soil, we are induced to believe that here, if anywhere, military companies should be supported by law. Even at the present time, the civil authorities oftentimes need the support to be derived only from this branch of the public service. Mobs, riots and violent and unlawful acts are of too frequent occurrence among our heterogeneous population in different portions of the State, requiring more force than can be extended by our civil authorities, unaided, to maintain order and enforce obedience to law; whereas the mere existence of a well-organized Volunteer company, at or near the scene of disturbance, would do much to overawe and intimidate the rioters.

In other portions of the State our citizens are constantly exposed to the incursions and depredations of hostile Indians, who plunder them of their hard-earned property, burn their habitations, drive them from their farms and mining grounds, and go unpunished. This state of things now exists in the remote mountain counties of this State, and our citizens are calling upon the State for protection and aid. They bear their proportion of the burdens of the State Government cheerfully, and have a right to ask the State to protect them from the attacks of the lawless savage.

It is believed that if the policy herein recommended is adopted, Volunteer companies will be established in every portion of the State where their services may be required, and greater security given thereby to the lives and property of our citizens, without additional expense to the State.

California has now the ability to supply her troops annually with arms and munitions of war to the value of fifteen thousand dollars, this being the amount of her yearly quota received from the General Government.

The question then arises, is it not our best policy, is it not due to our citizens,

that we make such use of our means as will afford the protection needed, through the medium of our Volunteer militia, when it can be done at so trifling an expense to the State?

It is to be hoped that early and judicious action may be had which will place the militia of California in a position to respond to the wants of the State and National Governments.

I have the honor to be,

Very Respectfully,

Your Ob't Serv't,

W. C. KIBBE,

Quarter-Master and Adjutant-General Militia of California.

Document No. 9.

IN ASSEMBLY.]

[SESSION 1855

REPORT

OF THE

CALIFORNIA LAND COMMISSIONERS

TO THE

Legislature of the State of California,

[B. B. REDDING, STATE PRINTER

1850

THE NEW YORK PUBLIC LIBRARY

ASTOR LENOX AND TILDEN FOUNDATIONS

1850

REPORT.

COMMISSIONERS' OFFICE, }
San Francisco, January 1, 1855. }

To the Senate and Assembly of California :

In compliance with the requirements of Section 13 of the Act passed May 18, 1853, "To provide for the sale of the interest of the State of California in the property within the water line in front of the city of San Francisco, as defined in and by the Act entitled 'An Act to provide for the disposition of certain property in the State of California,' passed March 26, 1851," the undersigned submit the following report, appended to which, we present tabular exhibits of the "full transactions of the Board," from September 12, 1853, to date.

It will be seen, by reference to the exhibits, that the sales, to the first January, 1854, amounted to \$494,175, to wit:

September 12,	-	-	-	-	-	-	-	-	\$12,350
October 5,	-	-	-	-	-	-	-	-	20,000
" 20,	-	-	-	-	-	-	-	-	111,350
December 28,	-	-	-	-	-	-	-	-	350,475

The last payments upon a great part of this property at the sales, did not fall due until about the 28th of March, 1854, and for want of compliance with the terms of sale on the part of some of the purchasers, the property was re-sold on their account, and suits have been instituted to recover the difference between the first and last sales.

Since our last report, dated January 7, 1854, we have sold property to the amount of \$517,031 50, which, added to the sales of the previous year, amount to the sum total of \$1,011,206 50; from which, however, must be deducted the amount received from the re-sales of property, as the difference between the first and last sale is always against the first purchaser; he is, therefore, credited with the amount for which the property resold, but is charged with the former price.

The sales of this year have been :

March 9,	-	-	-	-	-	-	-	-	\$134,625 00
" 10,	-	-	-	-	-	-	-	-	101,275 00
June 6,	-	-	-	-	-	-	-	-	104,075 00
August 17,	-	-	-	-	-	-	-	-	75,724 00
October 26,	-	-	-	-	-	-	-	-	101,332 50

The re-sales amount to \$132,225, which, deducted from the amount of the sale of the same property the first time for \$231,175, leaves a difference of \$98,950, for which amount the Board are suing the first purchasers, and making the total aggregate sales of the Board, from its organization to date, amount to \$878,981 50.

Of the above amount, \$177,056 50 was derived from the sale of the State's reversionary interest, after ninety-nine years, from the 26th of March, 1851.

The Commissioners, under the law, were authorized to sell all of the Custom House Block not set apart for Custom House purposes; but, by an Act of the Legislature, passed May 3, 1854, the Governor was authorized to sell it to the General Government at one-half of its appraised value. The Governor issued a commission to one of the members of this Board to act as Appraiser on the part of the State, in conjunction with Gen. Bridge, on the part of the United States.

The interest of the State was appraised by them at \$300,000, and taken by the General Government at their appraisement, from which source, \$150,000 has been paid into the State Treasury.

From the sale of the 26th December, 1853, made by the city of San Francisco, and referred to in our last report, in which the State has an interest of twenty-five per cent, the State Treasurer has received \$50,000.

There is believed to be \$150,000 still due the State from that sale, and the Commissioners have authorized the Attorney General to commence suit for the same.

The expenses of the Board for the past year amount to \$42,330 38, to wit

Salaries,	-	-	-	-	-	-	-	-	\$18,999 98
Contingencies,	-	-	-	-	-	-	-	-	948 25
Bonds and Deeds,	-	-	-	-	-	-	-	-	500 00
Printing,	-	-	-	-	-	-	-	-	17,577 15
Office Rent,	-	-	-	-	-	-	-	-	1,100 00
Court Fees,	-	-	-	-	-	-	-	-	275 00
Maps and Catalogues,	-	-	-	-	-	-	-	-	1,330 00
Attorney's Fees,	-	-	-	-	-	-	-	-	1,500 00

Another sale of the State's reversionary interest is advertised to take place on the 18th January.

This sale includes nearly the entire property authorized by the Act to be sold, except such as is in litigation, on thirty-two full-sized water lots, belonging to the Leidesdorff Estate, which is believed to have escheated, and upon which some further legislation will be necessary to give the purchasers the right to prosecute in the name of the State for its recovery.

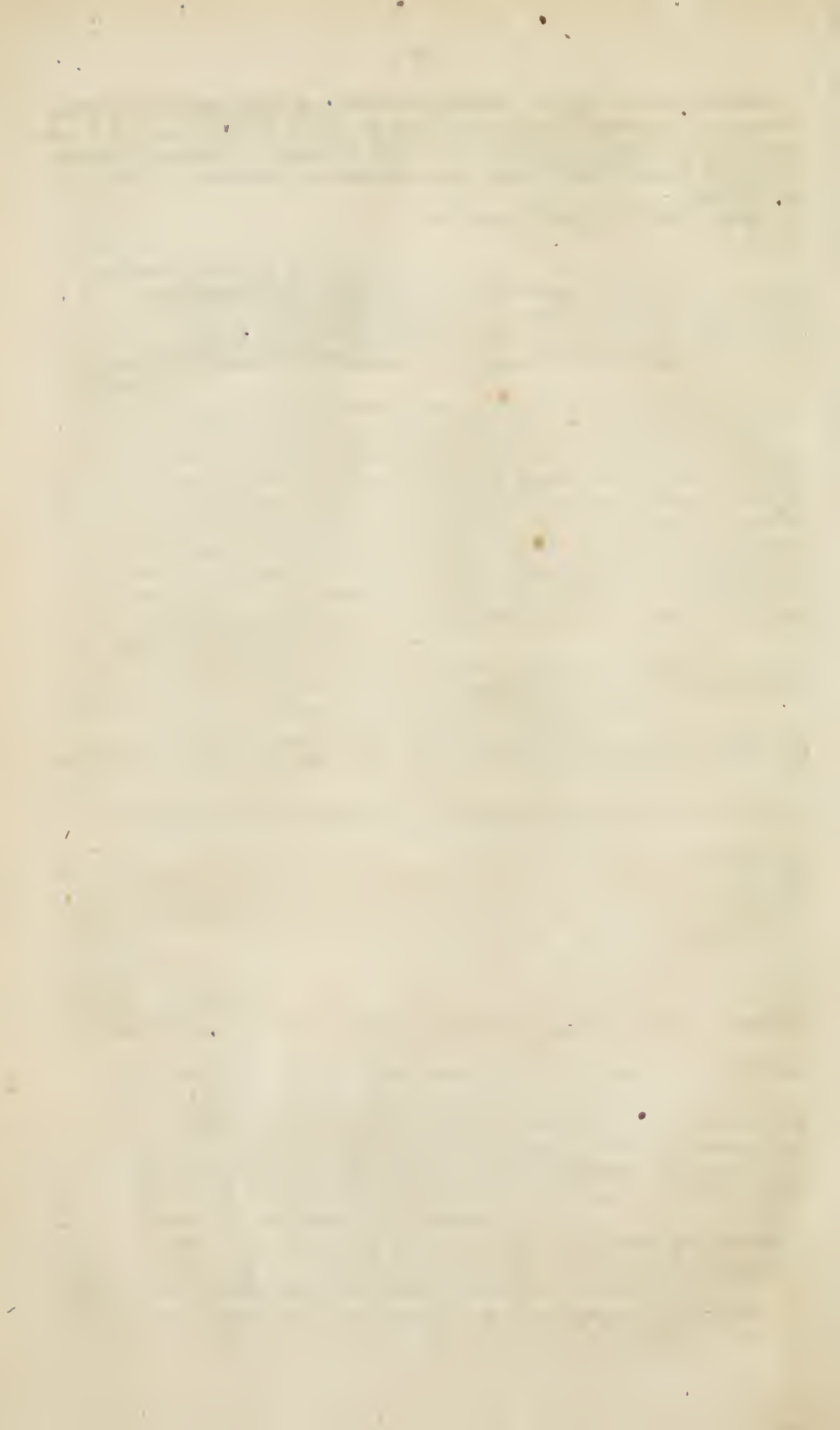
The water-line front of the city of San Francisco, as marked upon the official map on file in the office of the Surveyor-General, excludes a large amount of property about Mission Creek, in which the State has an interest.

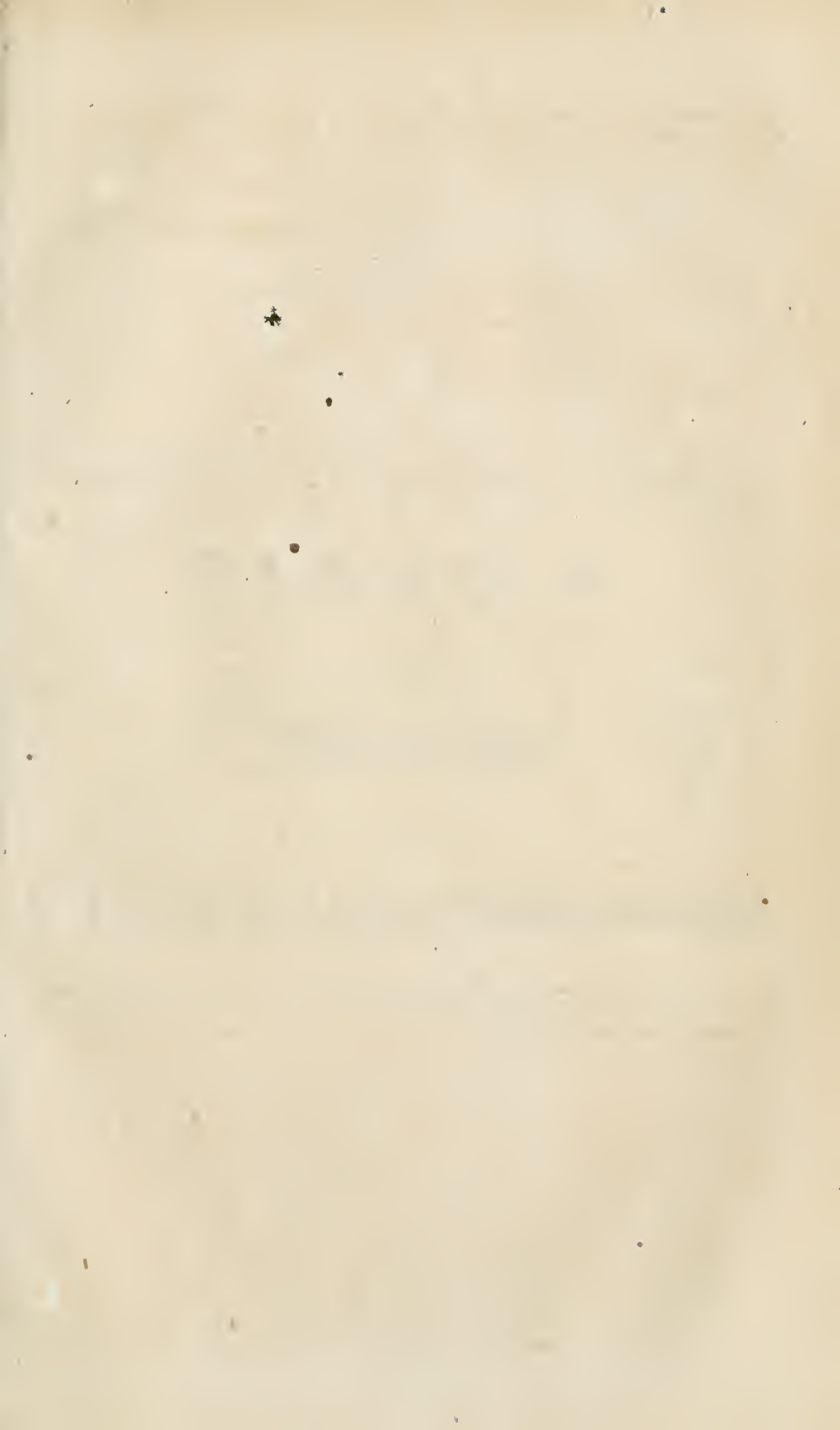
We suggest that the law be so amended, that the property may be sold.

To close the duties of the Commissioners within a fixed period, it may be necessary to confer some further powers upon the Board, so that in cases in which the State is a party in litigation, arising from the action of this Board, the Commissioners be authorized to settle upon such terms as will conduce to the interest of the State.

All of which is respectfully submitted.

LEVI HERMAN, *President.*
 LORING PICKERING,
 JNO. S. LOVE,
 JOSEPH HOPKINS,
 GEORGE O'DOHERTY,
Commissioners.







E X H I B I T A .

FROM

REPORT OF SALES

BY

CALIFORNIA LAND COMMISSIONERS.

B. B. REDDING, STATE PRINTER.

EXHIBIT A.—From Report of Sales by California State Land Commissioners.

NOTE.—The same marked with an asterisk (*), indicate the amounts of re-sales.

No. of Lot	BOUNDARY AND PURCHASERS.	Sale of September 12.	Sale of October 5.	Sale of October 20.	Sale of December 28.	Sale of March 9.	Sale of March 10.	Sale of June 6.	Difference betw'n sales and re-sales.	Amount paid for lot in full.	Amount for which lots were bid off.
	FRONTING ON FRONT STREET, BETWEEN WASHINGTON AND JACKSON STREETS.										
64	William Arington.....	\$12,350								\$12,350	\$12,350
65	H. E. Wegner.....		\$20,000							20,000	20,000
66	William Arington.....			\$8,100						8,100	8,100
67	William Helzer.....			9,150						9,150	9,150
68	Rogers & Friedman.....			8,700						8,700	8,700
69	Charles D. Carter.....			9,050						9,050	9,050
	ON BATTERY STREET, BETWEEN WASHINGTON AND JACKSON.										
70	Bernard Gafferty.....			18,500						18,500	18,500
71	E. Byrne.....			9,250						9,250	9,250
72	Do.....			9,100						9,100	9,100
73	W. H. Davenport.....			9,100				*\$3,600	\$5,500	*3,600	9,100
74	Do.....			10,400				*6,000	4,400	*6,000	10,400
75	W. H. White.....			20,000	*\$12,250				7,750	*12,250	20,000

EXHIBIT A.—Continued.

The sums marked with an asterisk (*), indicate the amount of re-sales.

No. of Lots.	Amount brought forward.....	Sale of September 12.	Sale of October 5.	Sale of October 20.	Sale of December 28.	Sale of March 9.	Sale of March 10.	Sale of June 6.	Difference bet'n sales and re-sales.	Amount paid for lot in full.	Amount for which lots were bid off.
BOUNDARY AND PURCHASERS.											
OREGON, WASHINGTON, DAVIS, AND FRONT STREETS.											
1 John A. Monroe.....		\$12,000	\$20,000	\$111,350	\$266,925	—	\$45,000	\$59,500	\$166,000	\$247,475	\$413,457
2 Bowman.....					4,250					4,250	4,250
3 W. H. Middleton.....					4,600					*1,100	4,600
4 Do.....					2,600					2,600	2,600
5 Bowman.....					3,000					3,000	3,000
6 Do.....					3,200					3,200	3,200
7 John Rochford.....					2,200					*800	2,200
8 W. H. Talmage.....					1,600					*1,250	1,600
9 Do.....					1,500					*900	1,500
10 H. Casiment.....					1,800					*900	1,800
11 Do.....					1,650					*800	1,650
12 Do.....					1,600					*1,000	1,600
13 Capt. Roberts.....					4,350					*2,050	4,350
14 Bowman.....					3,500					*1,500	3,500
15 W. H. Talmage.....					3,500					*1,500	3,500
16 Do.....					3,400					*1,400	3,400
17 Do.....					5,500					*2,800	5,500
18 Do.....					3,900					*1,600	3,900
					2,750					*1,500	2,750

EXHIBIT A.—Continued.

The sums marked with an asterisk (*), indicate the amount of re-sales.

No. of Lot.	BOUNDARY AND PURCHASERS.	Sale of September 12.	Sale of October 5.	Sale of October 20.	Sale of December 28.	Sale of March 9.	Sale of March 10.	Sale of June 6.	Difference bet'n sales and re-sales.	Amount paid for lot in full.	Amount for which lots were bid off.
	Amount brought forward.....	\$12,350	\$20,000	\$111,350	\$350,475	\$50,475	\$45,000	\$82,300	\$195,500	\$333,900	\$552,400
14	Charles Wheeler	—	—	—	—	2,200	—	—	—	2,200	2,200
15	Do.....	—	—	—	—	3,000	—	*1,500	1,500	*1,500	3,000
16	Do.....	—	—	—	—	5,200	—	*2,250	2,250	*2,250	5,200
17	R. Buck.....	—	—	—	—	2,500	—	—	—	2,500	2,500
18	Do.....	—	—	—	—	2,550	—	*1,500	1,050	*1,500	2,550
19	Tharp & Ramsdell.....	—	—	—	—	2,100	—	—	—	2,100	2,100
20	Do.....	—	—	—	—	2,100	—	—	—	2,100	2,100
21	R. Buck.....	—	—	—	—	2,700	—	—	—	2,700	2,700
22	J. N. Thorne.....	—	—	—	—	4,000	—	*1,500	1,200	*1,500	4,000
23	Do.....	—	—	—	—	2,500	—	—	—	2,500	2,500
24	Sharp & Broadie.....	—	—	—	—	2,200	—	—	—	2,200	2,200
25	A. J. Ellis.....	—	—	—	—	3,000	—	—	—	3,000	3,000
26	R. Buck.....	—	—	—	—	2,000	—	*950	1,050	*950	2,000
27	Tharp & Ramsdell.....	—	—	—	—	1,800	—	—	—	1,800	1,800
28	Do.....	—	—	—	—	1,700	—	—	—	1,700	1,700
29	John C. Hays.....	—	—	—	—	1,700	—	—	—	1,700	1,700
30	J. Neefus.....	—	—	—	—	1,550	—	—	—	1,550	1,550
	OREGON, WASHINGTON, DRUM, AND DAVIS.										
1	Beard & Hopkins.....	—	—	—	—	5,350	—	—	—	5,350	5,350

2/.....Do.....	2,900	—	—	—	—	—	—	—	2,900	2,900
3.....Do.....	2,600	—	—	—	—	—	—	—	2,600	2,000
4.....Do.....	2,400	—	—	—	—	—	—	—	2,400	2,400
5.....Do.....	2,450	—	—	—	—	—	—	—	2,450	2,450
6.....Do.....	2,300	—	—	—	—	—	—	—	2,300	2,300
7.....Do.....	2,200	—	—	—	—	—	—	—	2,200	2,200
8.....Do.....	2,300	—	—	—	—	—	—	—	2,300	2,300
9.....Do.....	4,300	—	—	—	—	—	—	—	2,300	2,300
10.....Do.....	5,600	—	—	—	—	—	—	—	4,300	4,300
11.....Do.....	—	—	—	—	—	—	—	—	5,600	5,600

JACKSON, OREGON, DRUM, AND EAST.

1 Caruthers.....	2,600	—	—	—	—	—	—	—	2,600	2,600
2 J. A. Woerber.....	2,000	—	—	—	—	—	—	—	2,000	2,000
3 Hastings & Moore.....	2,050	—	—	—	—	—	—	—	2,050	2,050
4 A. Humbert.....	—	3,000	—	—	—	—	—	—	3,000	3,000
5 R. E. Wood.....	—	2,400	—	—	—	—	—	—	2,450	2,450
6 H. O. Donnell.....	—	1,300	—	—	—	—	—	—	1,300	1,300
7.....Do.....	—	1,350	—	—	—	—	—	—	1,350	1,350
8 J. A. Woerber.....	—	1,600	—	—	—	—	—	—	1,600	1,600
9.....Do.....	—	1,800	—	—	—	—	—	—	1,800	1,800
10 Ryder.....	—	1,500	—	—	—	—	—	—	*825	1,500
11 H. O. Donnell.....	—	1,200	—	—	—	—	—	—	—	1,200
12 F. R. Johnston.....	—	1,525	—	—	—	—	—	—	*1,600	1,525
13.....Do.....	—	7,800	—	—	—	—	—	—	*3,250	7,800
14.....Do.....	—	9,200	—	—	—	—	—	—	*2,300	9,200

OREGON, WASHINGTON, DRUM, AND EAST.

1 Beard & Hopkins.....	2,700	—	—	—	—	—	—	—	2,700	2,700
2.....Do.....	2,100	—	—	—	—	—	—	—	2,100	2,100
3.....Do.....	2,550	—	—	—	—	—	—	—	2,550	2,550
4.....Do.....	4,500	—	—	—	—	—	—	—	4,500	4,500
5.....Do.....	1,800	—	—	—	—	—	—	—	1,800	1,800
6.....Do.....	1,900	—	—	—	—	—	—	—	1,900	1,900

Amount carried forward..... \$12,350 \$20,000 \$111,350 \$350,475 \$134,625 \$63,225 \$97,575 \$215,375 \$749,400 \$664,775

EXHIBIT A.—Continued.

The sums marked with an asterisk (*), indicate the amounts of re-sales.

No. of Lots.	BOUNDARY AND PURCHASERS.	Sale of September 12.	Sale of October 5.	Sale of October 20.	Sale of December 28.	Sale of March 9.	Sale of March 10.	Sale of June 6.	Difference betw'n sales and re-sales.	Amount paid for lot in full.	Amount for which lots were bid off.
	Amount brought forward.....	\$12,350	\$20,000	\$111,350	\$350,475	\$134,625	\$63,225	\$97,575	\$215,375	\$749,100	\$664,775
7	Beard & Hopkins.....						1,900			1,900	1,900
8	Do.....						1,500			1,500	1,500
9	Do.....						1,400			1,110	1,400
10	Do.....						1,900			1,900	1,900
11	Do.....						2,000			2,000	2,000
12	Do.....						1,300			1,300	1,300
13	Do.....						1,400				1,400
14	Do.....						1,900				1,900
15	Do.....						2,100				2,100
16	Do.....						1,750				1,750
17	Do.....						2,300				2,300
18	Do.....						2,800				2,800
19	Do.....						2,200				2,200
20	Do.....						2,200				2,200
21	Do.....						4,000	*2,500	2,500	*1,500	4,000
22	Do.....						6,100	*3,600	3,600	*2,500	6,100
	BROADWAY, PACIFIC, SANSOME, AND BATTERY.										
32	Charles Wheeler.....						1,300				1,300
	Total.....	\$12,350	\$20,000	\$111,350	\$350,475	\$134,625	\$101,275	\$101,075	\$221,475	\$481,350	\$702,825

EXHIBIT B.

R E C A P I T U L A T I O N .

Date of Sales.	First Sales.	Re-sales.	Total Sales.
September 12, 1853.....	\$12,350 00	—	\$12,350 00
October 5, 1853.....	20,000 00	—	20,000 00
October 20, 1853.....	111,350 00	—	111,350 00
December 28, 1853.....	338,225 00		
....Do....Do.....	—	\$12,250 00	350,475 00
March 9, 1854.....	134,625 00	—	134,625 00
March 10, 1854.....	86,275 00		
....Do....Do.....	—	15,000 00	101,275 00
June 6, 1854	—	104,075 00	104,075 00
August 17, 1854.....	75,724 00	—	75,724 00
October 26, 1854.....	100,432 50	900 00	101,332 50
	\$878,981 50	\$132,225 00	\$1,011,206 50

Document No. 12.

IN ASSEMBLY.]

[SESSION 1855.

REPORT

OF THE

LESSEE OF STATE PRISON,

TO THE

Legislature of the State of California,

FEBRUARY 14, 1855.

[B. B. REDDING, STATE PRINTER

REPORT.

To the Legislature of the State of California :

GENTLEMEN :

The law, creating the State Prison, requires the Superintendent to report during the first thirty days of the session.

The absence of the gentleman, who has been acting in that capacity for the last year, forces that duty on me.

This report was ready on the 20th day of January, and would have been made on that day, but it was ascertained the report of the Inspectors was not complete, and the statistical information, which it contained, having been only referred to by me, it was thought wholly useless to report the same identical and voluminous matter, and hence it has been delayed to this time.

There has been received at the State Prison, since January, 1851, five hundred and twenty-seven convicts, viz :

For Manslaughter,	18
Grand Larceny,	381
Burglary,	20
Rape,	9
Sodomy,	1
Perjury,	4
Forgery,	6
Assault, with intent to commit Murder,	32
Mayhem,	4
Highway Robbery,	24
Murder,	11
Assisting Prisoners to Escape,	4
Assault with Deadly Weapons,	12
Arson,	1
Receiving Stolen Goods,	3
Assault and Battery,	3

Of these, two hundred and twenty-six are citizens of the United States, and three hundred and one foreigners.

Since the 1st of January 1851, ninety-eight convicts have escaped. Of this number forty-one have been re-captured.

Quite a number have been killed in attempts to suppress revolts, and in efforts to retake those who had escaped. Only twenty-one however have been reported to the Lessee.

Over \$12,000 have been paid, for expenses and rewards for the return of escaped State Prison convicts.

The prisoners have been employed, mostly, in making bricks and quarrying stone. Most of the mechanical branches are followed to a limited extent, but the want of buildings for shops, and a wall in which to confine the mechanics, who would be compelled to handle such tools as they could use in attempts to escape, has prevented the Superintendent from following this plan. Indeed, the danger is so imminent, that many, who could be worked to the greatest advantage and profit, have now to be kept chained in the cells, in order to keep them safely. Guards could not be procured without this precaution.

Notwithstanding, I regret to be compelled to say, many *emeutes* have occurred during the last year, all of which have been attended with the loss of life. A number of convicts have been killed and wounded in these outbreaks and in efforts to re-capture them. This I deeply regret, but as it is lives aside, I cannot hesitate to give the order to enforce obedience at every hazard. I feel it due to myself to refer to some of the facts, in connection with the original lease, under the law passed April 25th, 1851.

At the time this contract was made, it was not contemplated that there would be to exceed fifty prisoners, at any one time, for years. This number, it was believed, could be safely kept in a prison ship, or "in temporary buildings, until such time as the State could build the State Prison." Instead of fifty, there are, this day, *over three hundred*, and if a safe prison, with secure walls, had been erected, so that the people of the different counties had the conviction that the proper punishment for crime would have been administered, mob law would not so readily have been resorted to, and the number at this day, I doubt not, *would have reached five hundred*. As it is, if all who were sent there could have been kept, the statistics show there would have been over four hundred now.

When it was found the number was increasing so rapidly, the State, in obedience to the 3d section of the act referred to, ordered the building of one wing of the State Prison. This wing contains forty-eight cells, capable of containing four prisoners each. There is one large room below, capable of holding one hundred, but without a division. This room, of course, if broken, would allow the whole number to escape.

Thus situated, we are in the most imminent danger.

I have the mortification daily, of seeing the graves of my guard, murdered by the hands of infamy, and meeting others, maimed for life, whilst in the discharge of their unenviable duty.

Strangers, from every part of the world, come to California, and not a few have committed crimes in other countries.

The penal colonies of Great Britain are contiguous to us, and, by referring to the statistics, you will see how well they are represented. Property, in California, is mostly of personal character, and, consequently, much exposed.

In the mineral counties, there are few houses built of substantial materials, capable of receiving the treasure of the miner; hence, they are compelled to take the risk of keeping their valuables in a cabin or tent, which offers a tempting opportunity to the vicious, who, too often, prey on the unprepared and unsuspecting.

It is the habit of our people to go armed and well armed too, even when at home and attending to their daily occupation. I deeply regret to say, it is their custom also, to redress their wrongs in the most summary manner. We have only to look at the morning papers to learn the extent of this evil. I regret to say, there can be no change for the better as long as the mines continue to yield their golden treasure, and the personal safety of our citizens require them to go armed.

This is truly alarming, at least to me, and I feel it my duty, in this connection, to say, it is almost impossible to procure guards, in consequence of the personal danger they have daily to undergo.

If a corresponding increase should take place in the number of prisoners during the year 1855, without improved facilities for keeping them, I am fully persuaded

they will murder the officers and guard, in some successful revolt, and every convict escape.

Emeutes are caused by the favorable opportunities offered for effecting escape.

A prisoner, condemned to death, goes to the gallows and suffers the extreme penalty, without attempting an escape, because no opportunity is presented by which he has a reasonable chance to succeed.

Long term prisoners, when confined within heavy walls, from which escape is next to impossible, rarely attempt a revolt. Instances are known of prisoners, condemned for life, having served out the term of their existence, without any attempt to regain their liberty, but it is always in prisons, built in the strongest manner and guarded with eternal vigilance.

The California State Prison is an isolated building, standing in the centre of 20 acres of land, without guard rooms, officers' quarters, infirmary or hospital rooms, and without even a kitchen.

The cells are there for holding the prisoners, and they are very safe. But the prisoners have to be marched three or four hundred yards for the purpose of obtaining their meals, and for the performance of labor. Thus, an opportunity for a revolt is offered three times each day, whilst the whole of the prisoners (nearly three hundred) are embodied.

Who would not attempt to regain liberty under such circumstances? Wise men, who have never been at the State Prison, but who know all about it through the newspapers, can tell how to prevent escapes and outbreaks. I have conversed with hundreds, and have listened patiently to hear something new. Truth compels me to say that no two of them have agreed in their views, and some of their pleas have been so palpably absurd, that I could scarcely repress a smile.

It is by comparison, the inexperienced judge most correctly of numbers, and they have not looked on a line of the most desperate men in the world, who, in single file, would reach from the State House in Sacramento City to K street, and make in numbers ten such companies as the Sutter Rifles. These convicts, strong as they are when embodied, have to be kept at hard labor in the State Prison for five, ten, twenty years, and some for life.

The prison is so situated that boats are necessarily compelled to come to, and pass near it.

Two gentlemen of San Francisco owned a brick-yard adjoining that of the State Prison. They had a right, and did keep such boats as they pleased. In a general revolt, fourteen of the prisoners took a whale boat belonging to them, and attempted to escape. Many of them were killed and wounded in the fight for the boat, but several escaped. On other occasions, similar occurrences happened, with similar results.

Wise men may tell me how to avoid such an occurrence, but I cannot learn of them. The gentlemen had a perfect right to own and occupy the property, to ship bricks; to own and keep such boats as they liked, and I had no legal right to control them. They intended to do no wrong, for they are both reputed to be as honorable men as there are in the State. I could not ask them to abandon their property on account of the proximity of the State Prison, and the only thing I could do was to buy them out, which I did.

OTHER MEANS OF ESCAPE.

Dense fogs prevail for five months in the year. The Pacific Ocean is but a few miles to the westward of the prison, washing the base of mountains beyond Corte Madera. Heavy winds lift dense fogs over the summit of the mountains, and precipitate them, without notice, on the eastern slope, rendering it impossible to dis-

tinguish an object at a few yards. Prisoners learn all the peculiarities of the location, and are not slow in availing themselves of every opportunity that occurs.

Not a few have escaped by this means. It frequently happens that several days will elapse without the possibility of taking the prisoners from their cells, in consequence of heavy fogs. On one occasion, the prisoners passed an entire week in the cells, without being able even to go to their meals, the fog being so dense during the time, that the lessee would not risk them out of the prison.

During these fogs, the powder and caps are all damp, and the guns are wet, all of which is as well known to the convicts as to the guards. Consequently there is, at such times, great danger of an *emeute*.

DESCRIPTION OF THE COUNTRY.

The prison is situated on Point St. Quentin, on a promontory jutting into the Bay of San Francisco, nearly west of Red Rock, between the coves of Corte Madera and San Rafael. Back of the prison, the hills are bold and the gulches deep, with heavy chapparel lining their sides. The gradual elevation of this spur, at the distance of three or four miles, unites it with the coast range, which, at this point, attains an elevation of 2,560 feet above the level of the sea, being heavily timbered in the gulches and covered with dense chapparel to the summit. If a prisoner escape and reach the wooded country, it is next to an impossibility to re-capture him, unless he attempt to leave it. Escaped convicts have been known to lie in these mountains for weeks, sallying out at nights, depredating on ranches, or committing assaults on the inhabitants. It is next to an impossibility to capture them as long as they remain in these secure hiding places.

The lessee, in conclusion, feels it his duty to state that an immense amount of money has been lost by himself and his associates in attempting to conform to his obligations, entered into in good faith with the State, in consequence of the number of prisoners that have been crowded on him, without any adequate means of keeping them safely.

As long as the number remained under one hundred, there was less difficulty in complying with the expectations of the people of the State, by keeping them safely and compelling them to work profitably. But the number now, has become so great, that the whole time and occupation of the officers and guards are employed in devising ways and means to prevent the prisoners from escaping in a body, and at the same time preserving their own lives; for it is fully understood by them, whenever that time arrives, every officer and guard will be murdered, without an exception.

The lessee has full confidence that this Legislature will see the importance of sending a large delegation of its members to Point St. Quentin, to examine into the condition of the institution, and devise such ways and means as will be for the best interest of the State, and the safety of the Institution.

J. M. ESTELL,
Lessee State Prison.

STATE PRISON, California, January 28th, 1855.





Document No. 13.

IN SENATE.]

[SESSION 1855.]

ANNUAL REPORT

OF THE

INSPECTORS OF STATE PRISON,

TO THE

Legislature of the State of California,

FEBRUARY 15, 1855.

[B. B. REDDING, STATE PRINTER.]

REPORT.

OFFICE OF THE BOARD OF STATE PRISON INSPECTORS, }
January 30, 1855. }

To the Hon. the Legislature of the State of California :

In obedience to the law creating their office and defining their duties, the undersigned, State Prison Inspectors, respectfully submit the following report:

Since their appointment, the Inspectors have made frequent visits to San Quentin, and have examined into the management, condition and affairs of the State Prison as fully and carefully as their powers and opportunities have enabled them to do. Having no authority to administer oaths, or to require information by compulsory process, they have been obliged to rely upon their own observation, together with such statements as might be volunteered to them by the Lessee and his employees and the questionable declarations of the prisoners themselves.

From the best information, however, which they have been able to obtain from these sources, they find that the whole number of State convicts received up to Nov. 20, 1854,—(the date of the Inspectors' report to the Governor,)—was 520, of whom 138 had been discharged on the expiration of their terms of sentence, 38 had been pardoned, 75 had escaped and not been retaken, 1 had died in prison, and 8 had been killed in various attempts at escape—leaving 258 remaining in prison, and 2 unaccounted for.

Since that time, 31 new convicts have been received ; 22 escaped in a body from Marin Island on the 27th of December, 4 of those who had previously escaped have been recaptured, and several more have been discharged. Of those who escaped from Marin Island, 8 have been recaptured and 4 killed, leaving 10 still at large; most, if not all, of whom were severely wounded. Six of these were retaken in the month of January, and imprisoned in the County Jail of Santa Clara county, whence, after two or three days incarceration, they effected their escape. In connection with this affair, the Sheriff of that county has made complaints concerning the action of officers of the prison, and charges of neglect on their part, which, if true, deserve to be noticed by the Legislature.

Of those who have effected their escape, however, it is but justice to the present Contractor to state, that 25 are reported to have escaped from Col. John C. Hays, whilst that gentleman was connected with the State Prison and had charge of the convicts.

The document herewith transmitted, marked "A," is a transcript from the register of prisoners kept at the prison by the Superintendent, which was fur-

nished to us by James M. Estell, the Lessee, and purports to exhibit the name, age and description of each prisoner, the date of his entrance, his term of imprisonment, and the offense for which he was sentenced, the county from which he was sent, the State or country in which he was born, and the date of the expiration of his sentence.

Document "B." contains a tabular statement of the number of prisoners received, the number of escapes exclusive of recaptures, the number of deaths, the age and sex of the convicts, and the number now in prison.

Document "C." purports to be a tabular statement of the places of nativity, and occupations of the prisoners, the counties where they were sentenced, and the crimes of which they were convicted.

Document "D." is a list of the officers, keepers, and guards of the prison.

There are no female convicts now under sentence.

These statistics, the undersigned are satisfied, are in some respects inaccurate, but they have found it quite impossible to arrive at facts which could be relied on with entire certainty.

It will be seen from the foregoing and accompanying statements, that only twelve prisoners are reported to have been killed, whereas, the Inspectors are induced to believe, on information derived from other sources and which they deem reliable, that more than double that number have been killed by the officers and guards, in the repeated insurrections, escapes, and attempts at recapture, and their names not reported to the Inspectors, for fear of the trouble and expense of a legal investigation. This we conceive to be a grave matter and one that ought to be inquired into by the Grand Jury of the county. It is unquestionably the duty of those having charge of the convicts to prevent escapes, if possible, at all hazards, and the undersigned do not know of any instance in which a State prisoner has been killed by the guards wantonly or without warrant of law. But in so grave a matter as homicide, though the act be justifiable and lawful in itself, a concealment of it, or a refusal to report the same to the proper officers, gives rise to suspicions of wrong and demands investigation.

Desirous of being able to communicate to the Legislature satisfactory information as to the truth or falsity of certain reports that have been circulated respecting the management of the prison and the safekeeping of the convicts, the Inspectors addressed a circular letter to the County Clerks of the several counties throughout the State, a copy of which, marked E," is herewith transmitted; but, except in three or four instances, no notice has been taken of their communication.

The Board of Inspectors through their Chairman, also addressed a note to the Controller of State, requesting from that officer a list of State Prisoners as exhibited by the books and papers on file in his office, and by the accounts for mileage that have been presented, and audited by him. His answer, however, has not been received.

In view of the difficulties in the way of obtaining authentic information, we think that a law ought to be passed authorizing the State Prison Inspectors to require from all officers and private persons, such information as they may deem important concerning convicts and the administration of criminal justice. They should also be empowered, we think, to administer oaths and to punish as for contempt a refusal to answer touching the subject matter committed to their charge.

We also recommended that the office of Inspector be made elective by the people, that its powers be enlarged and that a reasonable compensation be attached thereto. Efficiency in such an office and proper attention to the duties of it, can scarcely be looked for where no salary is allowed, and where even the incident expenses, which are necessarily considerable, have to be borne from the private purses of the officers themselves.

The subject of rewards for the apprehension of escaped convicts, was alluded to

by the Inspectors in their first annual report, and is again respectfully called to the attention of the Legislature. By the fourteenth section of the Act of 1851, "to provide for the safe keeping of the State Prison Convicts," the lessee is required to pay all rewards for the capture of escaped prisoners; but, by a most singular provision, he is prohibited from offering a reward of over \$2,500, whilst its minimum is limited only by the smallest denomination of money. Accordingly, the rewards that have been offered for the recapture and delivery of escaped convicts, have been entirely disproportionate to either the difficulty or importance of securing their arrest; and of these no notice by publication has generally been given.

In this matter the lessee has complied with the *letter* of his contract and ought not, perhaps, to be censured for not spending his own money with a liberality greater than the law requires. He doubtless became a party to the contract on speculation and with a view of making money out of it, and not from any philanthropic notions of public service. It is not to be presumed then, that he will consent to any modification of the law in this respect, and we therefore recommend that the Governor or State Prison Inspectors be authorized, in certain cases, to offer rewards for escaped convicts, payable out of the State Treasury.

Of late, the number and frequency of escapes have been so great as to challenge public attention, and have given rise to popular clamor and complaint. Accordingly on the twentieth day of October last, a letter from his Excellency the Governor was directed to us through the columns of the State Journal, asking for a more thorough examination and an early report, a copy of which letter is herewith submitted, marked "F." Pursuant to these instructions and those of the law, the undersigned have made diligent inquiry into the causes of the numerous escapes which have occurred, and they are forced to attribute them chiefly to the system which prevails of working the prisoners in large gangs, outside of the Prison and at a distance from the Prison Grounds. The stampede of December 27, was effected from Marin Island a place distant from the Prison two or three miles, where a large number of the convicts were engaged in quarrying stone, one of the revolts of last year in which some of the guards were killed and several of the prisoners escaped, took place at the Redwoods near Corte Madera, whither they had been sent for wood, and nearly every escape which has been reported to the undersigned, has happened when prisoners were away from the Prison Grounds. The lessee claims the right under his contract with the State, to work the convicts wherever and at whatever business or labor he may find most profitable, and in support of this position he quotes the opinion of the late Attorney General. If he really have the right which he claims, but which the Inspectors do not acknowledge, then the lessee can send State Prisoners in the capacity of clerks or servants to San Francisco, Sacramento or Placerville. And such has really been the case in at least one instance which has come to our knowledge where a convict was sent to San Francisco to wait upon an officer of the Prison, whence he effected his escape and is now at large. This case was reported to us by the lessee.

A portion of the prisoners denominated "trusties" and who have been distinguished for good behavior, are frequently sent on errands or expeditions of confidence, either alone or in company with a guard.

The undersigned are of the opinion that the practice of working the prisoners in different places without sufficient guards to insure safety against the possibility of escape, is wrong and ought not to be tolerated, but they have found themselves powerless in the premises to remedy the existing evils, and can only report such facts as may come to their knowledge—for the consideration of the Legislature.

The provision of law relied on in favor of this right as contended for by the contractor is contained in the 7th Section of the act above referred to, which provides that "said Act shall not be so construed as to confine the labor of the prisoners *within the limits of said prison*, or to any particular place or labor," whilst the whole tenor of the Act seems to contemplate the confining of the prisoners *within the limits of the prison grounds*.

If, however, the State has been unwise enough to make a contract for ten years, for the keeping of the convicts, which affords no adequate security, and if the lessee has the right as claimed by him to remove the inmates, at will, from the prison and prison grounds, it will certainly be prudent to purchase a modification or entire canceling of such a contract as cheaply and quickly as possible.

The prison itself is of massive material and substantially built, and with the addition of a wall of suitable dimensions, and with proper diligence on the part of the keepers, it might afford ample security against the escape of prisoners. Its upper story is divided into cells of convenient size, the lower part being mainly in one room. This, at a comparatively small expense, might be made into a large number of strong and secure cells, thus increasing, by one half, the cell capacity of the prison without the erection of another building.

The undersigned are of the opinion that the great object of penitentiary punishment—the safe keeping of the convict—will hardly be secured, at present, without a wall enclosing the prison grounds and invariable confinement of the prisoners *within* the same. How this is to be built, if built at all, it is for the Legislature to determine. But, should it be done at the cost of the State, and should an appropriation be made for that purpose, we recommend either that the existing contract be terminated upon such terms as may be just, or that the lessee be required to relinquish his claims to the right of removing the prisoners beyond the the prison grounds. If the wall will only serve to *shut out* the prisoners, instead of being as it ought to be, an impassable barrier between them and society, then its construction would be useless and extravagant.

Among the convicts now under sentence, there are a few daring and intelligent criminals, but generally they are ignorant, stupid and submissive. No record is kept showing what proportion of the prisoners are educated, but the majority of those whom we interrogated we found could neither read nor write, and by far the larger proportion of the prisoners are addicted to intemperance.

And in this connection the undersigned ask leave to state as a conclusion arrived at after careful inquiry on their part, that a vast proportion of the higher crimes which have been committed in this State have been perpetrated under the excitement of spirituous liquors or the frenzy of intoxication. This fact is one of sufficient significance, and merits the attentive consideration of the Legislature.

The inspectors are of the opinion that there ought to be a more careful graduation in the scale of punishments. By the existing law the larceny of \$50 is punishable by death, while the higher crime of arson is punished with imprisonment not to exceed two years, and many crimes and offences of considerable magnitude are not cognizable by our courts.

We recommend that the criminal laws be carefully revised, that the jury system be remodeled so as to secure, if possible, some honesty in the mode of empaneling and selecting juries, and that the rule of evidence be so changed as to insure a more just and certain administration of penal statutes.

We also recommend that the punishment for murder be made alternative, in the discretion of the jury—either death or imprisonment in the State Prison for life. The inspectors are induced to this recommendation from a conviction of its necessity as a remedial experiment, and not from any desire on their part to shield from merited punishment the man who, by the commission of the most atrocious crime, has forfeited the right to live. But we find, on careful examination, that of the several hundred murders that have been committed in this State since the *de facto* organization of its government, only a dozen or so of the murderers have been convicted and executed, and we are compelled to attribute this impunity of crime, in a great degree, to the general reluctance on the part of our people legally to enforce capital punishment, and which frequently leads juries, after solemn and pains-taking deliberation, to disagree on their verdict, or to acquit the accused on the slightest pretext of justification,

or the most remote possibility of innocence or insanity, rather than render a verdict of conviction when the penalty is death.

It is the certainty of punishment, we respectfully submit, and not its severity, that gives force and efficiency to penal laws. In order to act as a salutary restraint upon crime by the example of its punishment, the penalty must follow the perpetration of the crime, promptly and with the invariable relation of cause and effect.

The plea of insanity is practically one of the most fruitful sources of abuse that exists in the practice of our courts. How this evil is to be corrected, it is perhaps difficult to understand ; but the law certainly ought, if possible, to be so modified, that the proof, merely of some violent or incoherent expressions should not be held sufficient to justify acquittal in capital cases. To be recognized as a bar to the most rigid penalties, it should be no less than that clear and unmistakeable madness which obliterates from the mind the knowledge of right and wrong and annihilates the power of the will ; and, even in that case, we think that the State ought to protect its citizens against the consequences of this vicious insanity, or the recurrence of it, by perpetual confinement in a prison for lunatics.

It appears to be a perversion of justice and of law to permit the culprit, who, for some fancied insult, has murdered his fellow, to come into court and defend the act on the plea of insanity, and to be discharged, again, perhaps, under a fresh attack of his infirmity, to maim and murder others.

It has been customary for Sheriffs, in transporting convicts under sentence, to deliver them to the lessee of the prison or his agent, in San Francisco, taking his receipt therefor. This method of proceeding, we think, should be prohibited, and Sheriffs should be required by law, in all cases, to deliver the convicts to the Superintendent, at the prison grounds, and to report the same forthwith to the Inspectors at their office in San Francisco.

The Superintendent should also be required to report all escapes, within twelve hours after their occurrence, at the office of the Inspectors, together with the circumstances of their escape and a careful description of the persons of the fugitives, and to advertise the same in some newspaper published in San Francisco, with the reward offered by the lessee for their apprehension.

The State Prison of California, as it now exists, is no paradise for scoundrels. It is a real *penitentiary*—a place of suffering and expiation. Of work there is abundance, with privations and corporal punishment. So far, it is well. So far, perhaps, it is what a State Prison ought to be. But its discipline is not salutary, nor its punishments corrective. The system that prevails of unrestricted intercourse among the convicts, is essentially vicious and corrupting, but, so long as the contract system continues, the first object of prison discipline will be to obtain the maximum of labor with the minimum of cost, whilst but little attention will be given to the far more important object—so far as society is concerned—the reformation of the convict.

All of which is respectfully submitted.

HORACE W. CARPENTIER,
JAMES MILLER,
RICHARD N. SNOWDEN.

Inspectors of State Prison.

APPENDIX.

[A]

REGISTER AND DESCRIPTIVE LIST

OF

CONVICTS UNDER SENTENCE

Of Imprisonment in the State Prison of California.

REGISTER AND DESCRIPTIVE LIST OF CONVICTS UNDER SENTENCE OF IMPRISONMENT IN THE STATE PRISON OF CALIFORNIA.

When received.	Name of Convict.	Nativity.	Crime.	Sentence.		County sent from.	Age.	Occupation.	Height.		Complexion.	Color of Eyes.	Color of Hair.
				Years.	Months.				Feet.	Inches.			
1851. Jan'y 25 Feb'y 3	Charles Currier*	Mass	grand larceny	2		Sacramento	22	cabinet maker	5	8½	light	blue	light
	Blucher Haskell*	New York	Do.	3		Do	23	farmer	5	8	fair	blue	dark
	George Gahan	Ireland	Do.	5		Do	32	surveyor	5	7½	fair	blue	dark
	John Fisher*	Denmark	Do.	3		Do	37	carpenter	5	9	light	blue	dark
	Thomas Brown*	S. Carolina	assault, intent to kill	3		San Francisco	21	laborer	5	8½	fair	gray	dark
June 19 21 25 25	Miguel G. Costa	Brazil	grand larceny	4		Do	23	tailor	5	7	dark	black	black
	S. R. Stanley	Maryland	Do.	8		Yuba	25	sailor	5	4½	dark	black	brown
	Francis Brier, a	New York	receiving stolen goods	5		San Francisco	31	confectioner	5	9½	fair	black	black
	William Watkins	Virginia	burglary	10		Do	26	laborer	5	8½	light	blue	light
	Charles Brown*	France	grand larceny	1		El Dorado	27	baker	5	10½	light	blue	light
July 14 17 17	Thomas Kieft*	Ireland	Do.	1		San Francisco	23	cooper	5	6	fair	blue	light
	Robert Percy*	England	forgery	1		Do	22	laborer	5	5	dark	black	black
	Thos. Yates <i>al.</i> Wood	England	grand larceny	5		Do	31	coach smith	5	10	light	blue	light
	John Wilson*	Ireland	burglary	2		Do	20	laborer	5	10½	fair	gray	dark
	Christopher Jacques*	France	grand larceny	1		Sacramento	33	gardener	5	6½	dark	dark	black
Aug. 1 2 6 8	James Burns	England	Do.	10		San Francisco	24	moulder	5	9	fair	gray	dark
	Charles Sweetser*	Delaware	Do.	1		Do	20	laborer	5	8½	light	blue	light
	Antonio R. Aeronis*	Mexico	Do.	1		Sacramento	27	laborer	5	8½	copper	black	black
	William Gatson*	Kentucky	Do.	2		Do	26	laborer	5	11½	fair	gray	dark
	Cyrus Williamson, c	Ohio	larceny and burglary	2		El Dorado	22	farmer	5	9½	dark	gray	dark
Sept. 22 2	Samuel Church*	New York	grand larceny	1		Sonoma	23	cooper	5	10½	light	dark	red
	William M. S. Hoff*	New York	Do.	1		San Francisco	23	sailor	5	7½	fair	gray	dark

Oct.	8	Thomas J. Hodges, <i>d</i>	Do.	5	Sacramento	50 baker	5	5 $\frac{1}{2}$ dark	hazel	black
	22	Joseph Wilfred, <i>e</i>	Do.	10	Tuolumne	23 laborer	5	6 dark	black	black
	23	Anastacio Ramirez*	Do.	2	San Francisco	3 joiner	5	9 $\frac{1}{4}$ fair	blue	dark
Dec.	28	Jerome Boland	grand larceny	10	San Joaquin	40 millwright and engineer	5	9 $\frac{3}{4}$ fair	hazel	dark
	2	George Adams	Do.	20	San Francisco	21 farmer	5	10 $\frac{3}{4}$ fair	hazel	dark
	13	John Brown, <i>f</i>	Do.	3	El Dorado	37 sailor	5	9 $\frac{1}{2}$ fair	gray	light
	9	John Jackson	Do.	4	Mariposa	32 saddler	5	5 dark	dark	black
	15	Joseph Wilson, <i>g</i>	Do.	15	Colusi	33 marble cutter	5	9 $\frac{1}{2}$ dark	hazel	black
	16	William T. Perier*	Do.	1	Placer	24 clerk	5	9 fair	hazel	dark
	16	Thomas Eagan	Do.	3	Placer	32 sailor	5	7 dark	gray	black
	23	Robert A. Livingston	Do.	4	Yuba	25 sailor	5	4 $\frac{1}{2}$ dark	black	black
	27	David Dows*	Do.	1	Shasta	23 laborer	5	9 fair	blue	fair
	27	Jose Contreras	manslaughter	3	San Francisco	33 sailor	5	7 $\frac{3}{4}$ fair	blue	sandy
1852.						29 sailor	5	4 dark	black	dark
Jan.	6	Henry Williams*	grand larceny	2	Shasta	22 painter	5	7 dark	hazel	dark
	8	William Davis*	Do.	1	San Francisco	30 vine dresser	5	6 dark	black	black
	8	John Wallis*	Do.	2	Do.	19 cooper	5	7 $\frac{1}{2}$ black	black	black
Feb.	5	William Jones, <i>h</i>	Do.	1	Mariposa	19 laborer	5	4 dark	black	black
	16	Francis Berry*	Do.	1	El Dorado	30 laborer	5	9 dark	black	black
	16	Geo. Simpson (negro)	Do.	3	San Francisco	19 sailor	5	1 fair	gray	dark
	16	Lorenzo Amezea	Do.	8	Santa Clara	30 silversmith	5	6 dark	black	black
	16	Beudenou*	Do.	1	El Dorado	34 laborer	5	8 $\frac{1}{2}$ fair	blue	red
	18	James Moore, <i>i</i>	Do.	1	Do.	26 sailor	5	6 dark	black	black
			assisting Jas. Burns to escape	4	San Francisco	27 laborer	5	7 $\frac{1}{2}$ light	blue	dark
	18	Ramon Palacio*	grand larceny	1	Do.	32 sawyer	5	6 fair	blue	dark
	21	William Dean*	Do.	1	Sacramento	31 fireman	5	4 $\frac{1}{2}$ dark	hazel	dark
	21	John Welch	Do.	10	Do.		5			
	18	Joseph Goldsmith	Do.	3	San Francisco		5			
	25	William T. Edwards	Do.	2	Shasta		5			
April	8	Rich'd Hall <i>alias</i> Davis vid McHorrel	burglary	10	San Francisco		5			
	9	Manuel Silveas*	grand larceny	2	Tuolumne		5			

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

When received.	Name of Convict.	Nativity.	Crime.	Sen- tence.		County sent from.	Age.	Occupation.	Height.		Complexion.	Color of Eyes.	Color of Hair.
				Years.	Months.				Feet.	Inches.			
1852.													
April 11	William Knight*	New York	assault with intent to commit a rape	1		S. Luis Obispo	28	compositor	5	8 $\frac{1}{2}$	fair	blue	fair
9	Jacob Troule*	Germany	grand larceny	1		San Francisco	29	baker	5	7 $\frac{1}{2}$	fair	black	dark
12	Motham Curtis*	New York	Do.	1		Sutter	47	gunsmith	5	5 $\frac{1}{2}$	fair	gray	dark
15	Wm. Cunningham*	Ohio	assault with intent to commit murder	2		El Dorado	26	laborer	5	9	fair	blue	brown
16	John Doroughty, <i>j</i>	Quebec	grand larceny	10		Do	26	carpenter	5	11	fair	hazel	dark
23	William Tabor, <i>k</i>	Maine	Do.	5		Sacramento	24	tailor	5	5	dark	hazel	dark
24	Charles Guion, <i>l</i>	France	Do.	3		San Joaquin	29	laborer	5	5	dark	gray	dark
24	Edward Bugbee, <i>m</i>	New Jersey	Do.	8		Sacramento	19	laborer	5	6 $\frac{1}{2}$	dark	black	black
27	Robert Dawson,		Do.	1		Do							

NOTE.—The asterisk (*) denotes a discharge of the prisoner.

Williamson escaped from Col. Hays January 14, 1852; retaken June, 1853; pardoned Sept. 16, 1853. — (b) Thomas Yates died Sept. 10, 1853. — (c) Cyrus escaped from Col. Hays March, 1852; and retaken Sept. 1852. — (d) Thomas J. Hodges escaped from Col. Hays June 15, 1852. Retaken — (e) Joseph Wilfred 16, 1852. — (f) John Brown escaped October 22, 1853, and was retaken October 15, 1854. — (g) Joseph Wilson escaped June 16, 1852. — (h) William Jones, killed August 10, 1852. — (i) James Moore escaped January 3, 1853—killed March 4, 1853, in an attempt to recapture him — (j) John Doroughty pardoned Dec 6, 1852. — (k) William Tabor escaped, was retaken, and again escaped May 27, 1854. Has marked with ink on left arm a woman standing on wreath, with sword and flag. On right wrist, J. B. in a wreath, with a fish under; also, M. K., skull and bones, a rose, a tree, and a flag; scar on back of neck and on left side of face near the ear. — (l) Charles Guyon, escaped and retaken. — (m) Edward Bugbee escaped March, 1854, and was retaken June, 1854.

PRISONERS WHO ESCAPED FROM COLONEL HAYS BETWEEN
THE 1ST OF JANUARY AND THE 1ST OF MAY, 1852.

When received	Name of Convict.	Crime.	Sentence.	County sent from.
1851.				
Dec. 15	Findlay A. Campbell	grand larceny	10	Butte
16	James Wilson	Do	7	San Joaquin
16	J. C. Aneger	Do	3	Mariposa
16	Manuel Escalente	Do	5	San Joaquin
16	Luiz Garcia	Do	5	Do
16	Ramon Garcia	Do	5	Do
16	Jose Valdez	Do	5	Do
16	Jose Selesar	burglary	2	Mariposa
16	Antonio Valensuelo	grand larceny	6	Do
16	Nicholas Forbes	Do	3	Sacramento
16	Manuel Aguera	Do	6	Yuba
23	James Smith	Do	2	Sacramento
1852.				
January 8	Lewis Ottinger	grand larceny	1	San Francisco
15	Benjamin Lewis	arson	2	Do
15	William Welsh	grand larceny	5	Do
April 14	Marcellus Gray	Do	1	Mariposa
March 15	James Robinson	Do	3	San Joaquin
April 9	Hugh B. Hethaley	Do	2	Tuolumne
March 19	Antonio Demetro	manslaughter	3 $\frac{1}{2}$	Do
April 9	William Baxter	grand larceny	5	San Francisco
July 19	Charles Davis	Do	1	Do

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

Prisoners received by J. M. Estell, Lessee of the State Prison.

When received.	Name of Convict.	Nativity.	Crime.	Sen- tence.		County sent from.	Age.	Occupation.	Height.		Complexion.	Color of Eyes.	Color of Hair.
				Years.	Months.				Feet.	Inches.			
1852.													
May	10 Francis Christie*	Pennsylvania	highway robbery	1		San Francisco	26	laborer	5	6 $\frac{1}{2}$	fair	blue	black
	15 Thomas Bradley*	New York	arson	1		Do	20	Do	5	6 $\frac{1}{2}$	light	gray	dark
	18 Pastons*	California	murder	2		Marin	22	vaquero	5	8	dark	black	black
	18 Peter Heloise a	Panama	grand larceny	1	6	San Francisco	27	sailor	5	3 $\frac{1}{2}$	dark	black	black
	20 John Ronark*	New York	Do	2		Do	24	tinmith	5	4	fair	gray	light
June	8 Thomas Gilmore*	Ireland	Do	1		Placer	26	musician	5	9 $\frac{1}{2}$	fair	gray	brown
	14 James Bendell*	Kentucky	Do	2		Mariposa	26	iron roller	5	10 $\frac{1}{4}$	light	gray	auburn
	14 Antonio Armento b	Mexico	Do	1		Trinity	38	laborer	5	4 $\frac{1}{2}$	dark	black	black
	18 John C. Carroll*	Ireland	assault and battery	1		Tuolumne	24	baker	5	7 $\frac{1}{2}$	fair	blue	light
	18 Marco Cortelles	Mexico	assault with intent to										
			commit murder	10		Calaveras	18	laborer	5	5	dark	black	black
	18 Ramon Robalcalda*	Do	grand larceny	1		Tuolumne	19	Do	5		dark	black	black
	21 Hiram Quimby*	New York	Do	1		El Dorado	25	farmer	5	11 $\frac{2}{4}$	fair	blue	dark
	25 Marco Soto	Mexico	Do	5	8	Do	22	laborer	5	7	dark	black	black
	29 Cheriva Rivera	Do	Do	10		San Joaquin	21	ranchero	5	8	dark	black	black
	29 Ysidoro Redundo	Do	Do	10		Mariposa	30	soldier	5	8	dark	black	black
	29 Chenia Rodriguez c	Do	Do	7		San Joaquin	22	shoemaker	5	7	dark	black	black
	29 Manuel Antonio	Brazil	assault, intent to kill	3		San Francisco	40	sailor	5	6	dark	black	black
	29 Joseph Francis	England	aiding prisoners to escape	3		Do	20	Do	5	6	dark	black	black

29	Thomas Brown, alias	Do	forgery	5	San Joaquin	32	solicitor	5	8	blue	dark
	E. J. Briscoe	Italy	manslaughter	3	Calaveras	33	tailor	5	3	gray	dark
Feb.	John Francis		grand larceny	1	Colusi	28					
July	Manuel Gorse	Mexico	Do	5	Contra Costa	23	carpenter	5	6	black	black
	Wm. H. Hawkins d	Dist. of Col.	burglary in two cases	15	San Francisco	33	cook	5	5	black	black
	John Hawkins, negro	Maryland	burglary	3	Do	22	cook	5	6	black	black
	Fleming Mopping*	Virginia	grand larceny	1	Do	26	cooper	5	11½	fair	dark
	Agnes Read*	Scotland	aiding prisoners to escape	1	Do	33			fair	blue	dark
Aug.	Ipolito Valensuelo*	Mexico	assault, with intent to commit murder	2	Mariposa	28	shoemaker	5	8½	black	black
	Asa Carrio	Missouri	grand larceny	5	Do	24	laborer	5	9½	light	brown
	Jose Antonio Vea e	Los Angeles	Do	20	Marin						
	Diego Flores*	Mexico	assault, with intent to commit bodily injury	1	Solano	23	jeweler	5	7¼	dark	black
	John Gordon*	Ohio	grand larceny	1	Nevada	27	laborer	6	¼	dark	black
	James W. Clark	Texas	assault, with intent to murder	5	Calaveras	28	gent	6	dark	black	dark
	Trinidad Pacheco*	Mexico	grand larceny	2	Tuolumne	25	builder	5	8	black	black
	Saledeno Perequita,*	Mazatlan	Do	2	Do	32	washerwoman	5	1½	dark	black
	(female)	Mexico	Do	3	Do	24	laborer		dark	black	black
	Gregoria Sequeranda	Philad.	Do	1	San Francisco	20	clerk	5	7¾	fair	gray
Sept.	Charles D. Farris*	Kentucky	Do	1	San Diego	30	tailor	5	7	light	gray
	James G. Loring f	Penn.	Do	1	Do	24	laborer	5	8½	fair	brown
	William Harris g	Chile	Do	1	Sacramento	32		5	2½	dark	black
	Carminc Nuncz* (female)		Do	1							

(a) Peter Heloise escaped, was retaken, and discharged.——(b) Antonio Armento escaped, was retaken, and discharged.——(c) Chenia Rod-
 ríguez escaped 6th May, 1854. Right arm marked in ink with a flag, eagle, &c.; left arm, ship under full sail.——(d) Wm. H. Hawkins, negro, escaped,
 was retaken, and again escaped March 12, 1854. Has scars, by scaldings, on the inside of both arms, also on left side of head; from Philadelphia.
 (e) Jose Antonio Vea escaped, but was retaken.——(f) James G. Loring escaped from Col. Hays under the name of Gray, was retaken by Estell, and
 discharged.——(g) William Harris escaped from Col. Hays, retaken by Estell, and escaped again June 21, 1854. Has on right arm letters W. B., with a
 dagger between.

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

NOTE.—The asterisk (*) denotes a discharge of the prisoner.

When received.	Name of convict.	Nativity.	Crime.	Sen- tence.		County sent from.	Age.	Occupation.	Height.		Complexion.	Color of Eyes.	Color of Hair.
				Yea.s.	Months.				Feet.	Inches.			
1852.													
Sept.	6 Xavier Gonzales*	Argentine Republic	grand larceny	2		Sacramento	27	merchant	5	10	dark	black	black
	6 Joseph Sweet*	New York	Do	1	6	Do	42	farmer	5	5	fair	gray	dark
	24 Thomas Fuller	Lond'n, Eng.	manslaughter	3		Napa	51	laborer	5	5	fair	gray	gray
	29 John Wright*	Boston	grand larceny	1		Butte	21	sailor	5	9	dark	black	black
	29 Joseph Kuhn	Hungary	assault, with intent to commit a rape	10		San Francisco	33	carpenter	5	5	light	blue	brown
	29 A. McGurley* (negro)	Connecticut	grand larceny	2		Do	26	cook	5	7	black	black	black
	29 Richard Elliot*	Illinois	petit larceny	6		Do	18	farmer	6	2	light	brown	auburn
Oct.	14 Basilicon Peres*	Mexico	assault with intent to kill	2		Mariposa	26	weaver	5	4	dark	black	black
	14 Robert Smith*	Mass.	grand larceny	1		Do	20	sailor	5	4	light	gray	auburn
	14 Carlos Cumpido	Mexico	assault, with intent to kill	7		Do	25	baker	5	7	dark	brown	black
	14 Jose Angelo Gonzales	Do.	grand larceny	5		Do	25	saddler	5	9	dark	black	black
	14 William Reeves <i>a</i>	Texas	Do	5		Do	23	farmer	5	9	dark	black	auburn
	16 Juan Moran <i>b</i>	Sonora	manslaughter	3		Los Angeles	30	saddler	5	5	light	dark	black
	16 G. C. Bradley <i>c</i>	Rhode Isl'd.	grand larceny	3		Nevada	28	clerk	5	6	light	brown	light
	16 J. C. Smith	Mass.	Do	5		Do	28	sailor	5	7	dark	gray	dark
	16 James Hoover	Illinois	Do	4		Do	2	boatman	5	6	light	gray	light
	23 Mateo Andrade <i>d</i>	Guaymas	Do	11		Monterey	21	baker	5	7	dark	gray	black

Oct. 23	Pedro Ansa*	Mexico	grand larceny	1	Iday, Siskiyon	19 saddler	5 6 $\frac{1}{2}$ dark	brown	black
Nov. 8	Charles Alwin e	New York	Do.	3	San Francisco	22 jeweler	5 9 $\frac{1}{2}$ light	hazel	black
	8 Lilly C. Smith*	Do	Do.	2	Do	30 circus rider	5 6 fair	hazel	black
	8 Henry Smith f	Germany	Do.	1	Do	32 carpenter	5 3 $\frac{1}{4}$ dark	brown	dark
	8 Dolores Martinez* (female)	Mex'o manslaughter		1	Do	19 washerwoman	4 11 dark	black	black
	8 George H. Darrah g	N. Hampshire, grand larceny		2	Do	17 loom maker	5 6 $\frac{1}{2}$ fair	light	light
	8 George Swift *	Sand. Isl's.	Do.	1	El Dorado	17 laborer	5 4 $\frac{1}{2}$ copper	black	black
	15 A. Hanson h	Denmark	Do.	10	Tholunne	42 sailmaker	5 9 $\frac{1}{2}$ light	gray	brown
	15 Fernin Cruz*	Mexico	manslaughter	2	Do.	33 musician	5 7 $\frac{1}{4}$ brown	dark	black
	15 William Taylor	Penn.	Do.	3	Sierra	3 cotton factor	5 6 $\frac{1}{2}$ light	gray	auburn
	20 George Williamson i	Ohio	grand larceny	2	El Dorado	20 clerk	5 7 light	gray	brown
	20 Jesus Rodriguez*	Mexico	manslaughter	1	Santa Clara	22 laborer	5 3 copper	hazel	black
Dec. 20	John H. Green	Dublin	forgery	5	San Francisco	27 sailor	5 6 light	gray	sandy
	18 Jose Maria	Mexico	grand larceny	2	Mariposa	40 miner	5 6 copper	black	black
	19 Pequito Ramirez*	Mazatlan	Do.	1	San Francisco	25 saddler	5 4 $\frac{3}{4}$ black	black	black
	19 John Wilson *	Indiana	mayhem	1	Placer	29 laborer	5 5 $\frac{1}{4}$ light	gray	auburn
	19 John W. Kelley	Ireland	grand larceny	3	Do	27 sailor	5 5 light	gray	auburn
	19 James Murphy j	Alabama	assault, intent to kill	10	Do	26 tailor	5 8 $\frac{1}{2}$ light	gray	sandy
	20 Joseph Sunderland	Maryland	assault, with intent to commit murder	3	Calaveras	22 barkeeper	4 9 fair	gray	brown
	20 Chas. Davis,* mulatto	New York	assault with deadly weapon	6	Do	33 coachman	5 5 $\frac{1}{2}$ mulat.	black	black
	20 Antonio Fernandez	Portugal	burglary	8	Do	25 laborer	5 4 $\frac{1}{2}$ negro	black	black
	22 Pedro Gonzales	Mexico	robbery	10	Mariposa	27 Do	5 6 $\frac{1}{4}$ dark	black	black
	22 Jacob Williams k	Penn.	grand larceny	4	San Joaquin	26 Do	5 9 $\frac{1}{2}$ fair	hazel	brown
	22 Narcissa Gialena	Cuba	Do.	5	Do	47 Do	5 4 $\frac{1}{2}$ negro	black	black
	14 Pedro Gomez *	Chile	Do.	1	Marin	23 Do	5 9 $\frac{1}{4}$ fair	black	black
	22 Peter Ord	Germany	Do.	2 4 $\frac{1}{2}$	Shasta	26 Do	5 9 fair	gray	brown
Jan. 3	T. J. Jones*	London	murder	1	Nevada	36 storekeeper	5 6 $\frac{1}{2}$ fair	blue	black

(a) William Reeves escaped and retaken. — (b) Juan Moran killed September, 1854. — (c) G. O. Bradley, pardoned — (d) Mateo Andrade escaped during an emeute July 24, 1854, and was badly wounded in the left breast by a shot from one of the guard — (e) Charles Alwin escaped; scar on top of his head — (f) Henry Smith escaped and retaken. Discharged — (g) George H. Darrah escaped May 11, 1854, and retaken Nov. 2, 1854. — (h) A. Hanson killed. — (i) George Williamson escaped from Colonel Hays, was retaken by Esteli, and discharged — (j) James Murphy pardoned. — (k) Jacob Williams killed.

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

Note.—The asterisk (*) denotes a discharge of the prisoner.

When received.	Name of Convict.	Nativity.	Crime.	Sen- tence		County sent from.	Age.	Occupation.	Height.		Complexion.	Color of Eyes.	Color of Hair.
				Years.	Months.				Feet.	Inches.			
1853.													
Jan.	3 John Miller	Hamburg	grand larceny	3		San Francisco	22	sailor	5	8 $\frac{1}{2}$	fair	gray	light
	14 Thomas Dowell	England	Do.	3		Trinity	32	farmer	5	8 $\frac{1}{2}$	light	gray	brown
	15 Chas. F. Wingfield*	Do	Do.	1	6	Tuolumne	24	sailor	5	6 $\frac{1}{2}$	fair	gray	brown
	15 W H. Wingfield*	Do	Do.	1	6	Do	33	sailor	5	6 $\frac{1}{2}$	fair	gray	brown
	15 George C. Bridges*		Do.	1	6	Do							
	15 Francisco Perez*	Mexico	Do.	1		Do	23	tailor	5	5	dark	black	black
	16 Ahing*	China	burglary	1		El Dorado							
	16 Amor*	Do	Do.	1		Do							
	17 Henry Howard <i>a</i>		grand larceny	5		San Francisco							
	17 Felician Scverano*		Do.	1		Do							
	17 William Morris		Do.	10		Do							
	17 Richard Smith <i>b</i>		Do.	2		Do							
Feb.	4 Pasquel Carrio	Mexico	Do.	3		S Luis Obispo	23	laborer	5	9 $\frac{1}{4}$	dark	black	black
	24 Jose Quivates*		assault, with intent to commit murder	1		Mariposa	28		5	6	dark	hazel	black
	28 Roman Rangel*	California	grand larceny	1		Monterey	14	vaguerro	5	5	dark	hazel	black
	28 J. C. Susenbeth <i>c</i>	Germany	Do.	3		San Joaquin	29	merchant	6	6	light	hazel	dark
	28 Alexander Micolon	France	Do.	3		Do		sailor	5	6	light	hazel	light
	28 Alex. Vanderstratoes	Do	Do.	3		Do	25	tailor	5	5	light	hazel	black
	28 Mariano Gregalia	Mexico	Do.	3		Do	18	laborer	5	6	dark	hazel	black
	28 Martinez Rodriguez	Mass	assault, with intent to commit murder	2		Do	48	muleteer	5	4	dark	hazel	black

28 William Dewing <i>d</i>	Mass.	robbery	1	Nevada	30 farmer	5 1	light	gray	dark
28 Nathan Dewing <i>d</i>	Do	Do	1	Do	22 sailor	5 9	light	gray	dark
28 George Dewing <i>d</i>	Do	Do	1	Do	37 sailor	5 2 1/2	light	gray	dark
28 Richard Holmes <i>d</i>	Do	Do	1	Do	31 hostler	5 4 1/2	light	gray	dark
28 Charles Davis <i>d</i>	Penn.	Do	1	Do	25 laborer	5 10 1/2	light	hazel	dark
March 2 Thomas Derden, <i>alias</i> Hodges	Alabama	grand larceny	15	Santa Clara	24 laborer	6 1 1/2	dark	gray	sandy
2 Casimero Lara	California	Do	3	Do	24 laborer	5 5	dark	black	black
2 William Hunger*	France	Do	1	El Dorado	24 butcher	5 6	light	hazel	light
7 Henry Peth*	Germany	Do	1	San Francisco	25 baker	5 6 1/2	light	hazel	sandy
7 Juan Ruez*	Peru	Do	1	Do	18 laborer	5 6	dark	black	dark
7 Francisco Vera*	Mexico	forgery	1	Do	19 laborer	5 3 1/2	dark	black	dark
7 John Campbell	Germany	embezzlement	5	Do	25 clerk	5 7	light	black	light
9 John Hartley <i>e</i>	England	grand larceny	5	Do	35 laborer	5 6	light	gray	sandy
9 Isaac Levy <i>f</i>	Do	Do	5	Do	24 laborer	5 8 1/2	dark	gray	black
9 Thomas Henry <i>g</i>	Do	Do	6	Do	24 sailor	5 8 1/4	dark	hazel	dark
9 Louis Goddolt*	France	Do	1	Do	20 jeweler	5 3	dark	hazel	dark
9 Jack Fairrow*	Ohio	Do	1	Yuba	21 teamster	6 4 1/2	dark	gray	dark
9 George Fairrow <i>h</i>	Do	Do	3	Do	18 blacksmith	6	dark	hazel	dark
9 Ignacio Romo	Mexico	Do	2	Do	25 tobaccoist	5 5 1/2	dark	black	black
9 John Broad <i>i</i>	England	Do	1	San Francisco	41 hostler	5 8 1/4	dark	gray	dark
19 John G. Elverson <i>j</i>	New York	Do	10	Sacramento	25 butcher	5 7 1/2	fair	blue	brown
19 John Williams	Mass.	Do	5	Do	28 barber & sailor	5 10	black	hazel	black
April 11 Samuel Hall	Louisiana	manslaughter	2	Shasta	31 laborer	5 5 1/2	fair	hazel	brown
14 Geo. W. Hise	Kentucky	assault, with intent to commit murder	14	Calaveras	36 confectioner	5	fair	gray	brown
14 William Smith*	Penn.	grand larceny	1	Placer	24 carpenter	6	light	hazel	brown
14 Chapman Bethel*	Virginia	Do	1	Do	33 carpenter	6	light	hazel	brown
14 Robert Patterson*	Ohio	Do	1	Do	36 stonecutter	6 1 1/2	light	gray	brown

(a) Henry Howard escaped and retaken. — (b) Richard Smith killed. — (c) J. C. Susenbeth pardoned. — (d) William Dewing, Nathan Dewing, George Dewing, Richard Holmes, and Charles Davis, pardoned on last day of sentence. — (e) John Hartley escaped 6th May, 1854. — (f) Isaac Levy escaped in boat—scar on breast from a burn. — (g) Thomas Henry escaped April 12, 1853; marked with initials, J. H., on the left arm. — (h) George Fairrow pardoned April 18, 1854. — (i) John Broad pardoned November 27, 1853. — (j) John G. Elverson escaped 6th May, 1854. Bull necked—no marks.

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

NOTE.—The asterisk (*) denotes a discharge of the prisoner.

When received.	Name of Convict.	Nativity.	Crime.	Sentence.		County sent from.	Age.	Occupation.	Height.		Complexion.	Color of Eyes.	Color of Hair.
				Years.	Months.				Feet.	Inches.			
1853.													
April 14	John Tritschler*	Germany	grand larceny	1		Placer	48	turner	5	3	dark	hazel	brown
14	Frederick Morrison*	Vermont	Do	1		Do	23	sailor	5	9 1/2	light	gray	brown
14	William Morrison*	Do	Do	1		Do	25	carpenter	5	6 3/4	light	gray	brown
16	Juan (Indian)	California	rape	8		Los Angeles	21	vaquero	5	4 1/4	dark	black	dark
16	Henry Klug	Pennsylvania	grand larceny	2		Do	38	millwright	5	5	fair	hazel	dark
18	Richard Murphy*	Virginia	Do	1		San Joaquin	28	sailor	5	9	fair	blue	brown
18	William Davis	Pennsylvania	Do	2		Do	25	moulder	5	7 1/2	fair	hazel	sandy
18	J. Manuel Sepulvera	California	Do	10		Do	25	vaquero	5	5 1/2	dark	dark	black
18	William Power*	England	Do	1		Do	39	painter	5	5	fair	hazel	brown
18	Richard Watkins*	Virginia	Do	1		Do	31	sailor	6		fair	dark	brown
18	Richard V. Evans	Kentucky	Do	5		Do	36	farmer	5	1	fair	hazel	light
19	John Sullivan	New York	Do	1		San Francisco	36	farmer	5	4 1/2	fair	blue	sandy
25	Jesus Romo	Mexico	Do	20		Santa Clara	20	laborer	5	5 1/4	light	gray	black
26	Walter Constock*	N. Hampshire	Do	1		Sonora	37	carpenter	5	6	fair	gray	brown
May 10	Andrew Austin a	New York	manslaughter	3		Santa Clara	26	wheelwright	5	9 1/2	fair	hazel	dark
10	Daniel Sales*	Isle of Man	Do	1		Do	24	tailor	5	3	fair	gray	black
18	Abner Bishop, negro	Ohio	grand larceny	3		San Francisco	27	barber	5	7 1/2	black	black	black
18	Stewart Butler*	Maryland	Do	1		Do	22	weaver & cook	5	9	black	black	black
18	Henry Jansen	Hanover	manslaughter	3		Nevada	21	sailor	5	5 1/2	light	gray	brown
18	R. Palacio, 2d term,	Peru	grand larceny	1		San Francisco	31	silversmith	5	6	dark	black	black

18	Al Hoy*	China	burglary	1	San Francisco	22	cook	5	8	dark	black	black
18	Al Lum	Do	grand larceny	3	Do	26	Do	5	5	dark	black	black
24	Andrew H. Herbert*	New Jersey	Do	1	El Dorado	24	farmer	5	6 $\frac{1}{4}$	light	hazel	light
29	Jose Garcia	California	Do	2	Contra Costa	27	shoemaker	5	6	dark	black	black
15	William Fleck	Ohio	Do	10	Placer	25	merchant	5	7	fair	hazel	dark
15	William White	Kentucky	Do	10	Do	24	farmer	5	9	fair	hazel	light
20	Mary Ann Wilson*	Scotland	robbery	1	San Francisco	19	servant	5	1 $\frac{1}{2}$	fair	blue	dark
20	Jean Bapt. Michel	France	grand larceny	5	Calaveras	29	blacksmith	5	6 $\frac{1}{2}$	fair	hazel	light
20	John Cahill	Ireland	Do	7	Do	23	chaudler	5	8	fair	blue	dark
20	William Thompson	England	Do	7	Do	39	sailor	5	5 $\frac{1}{2}$	fair	blue	light
20	Nestor In. Perial	Mexico	Do	5	Do	28	packer	5	7 $\frac{1}{2}$	dark	black	black
20	Samuel McClintic	Missouri	Do	10	Do	6	farmer	5	6 $\frac{1}{2}$	fair	blue	light
20	Jose Palajo*	Mexico	Do	1	San Francisco	18	sailor	5	6 $\frac{1}{2}$	dark	black	black
20	Dennis Orton*	Ohio	Do	1	Siskiyou	19	carpenter	5	8 $\frac{1}{4}$	fair	gray	dark
20	Thomas O'Neil b	Ireland	robbery	1	San Francisco	22	steward	5	6	fair	light	light
20	John Arlington	Do	grand larceny	2	Trinity	23	cook	5	4 $\frac{1}{2}$	fair	hazel	dark
20	William Landers*	Do	robbery	1	San Francisco	22	sailor	5	5 $\frac{1}{4}$	fair	dark	dark
24	Michael F. White	Do	assault	2	San Joaquin	35	wheelwright	4	9	fair	gray	dark
24	David D. Pierson	Penn.	grand larceny	5	Santa Clara	21	turner	5	11	fair	hazel	dark
24	William Turner c	Florida	murder	7	San Joaquin	27	farmer	6	7	fair	gray	light
10	Jesus Uteiras*	Mexico	grand larceny	1	Mariposa	17	hostler	5	2 $\frac{1}{4}$	fair	black	black
10	Fernier Baldez*	Do	murder	1	Los Angeles	40	laborer	5	7	dark	black	black
15	Jollie Sebastian	France	Do	5	Calaveras	37	cooper	5	6 $\frac{1}{4}$	fair	hazel	black
27	John Legg*	England	assault with deadly weapons									
27	William Thompson d	Illinois	grand larceny	2	San Francisco	51	farmer	5	6 $\frac{1}{2}$	fair	blue	dark
27	Feliciano Guerrero	Chile	Do	2	Do	18	blacksmith	5	6 $\frac{1}{2}$	fair	blue	dark
3	George F. Hendry*	Virginia	manslaughter	1	Do	24	shoemaker	5	6	dark	black	black
3	William Carter*	Illinois	grand larceny	1	6 Sacramento	35	miner	5	8 $\frac{1}{4}$	fair	dark	dark
3	John Brandon*	Alabama	Do	3	Do	22	farmer	5	10 $\frac{1}{4}$	fair	blue	dark
						21	Do	5	7 $\frac{1}{2}$	fair	blue	light

(a) Andrew Austin, escaped and retaken, — Thompson escaped 14th March, 1854 ; retaken in May, 1854

(b) Thomas O'Neill, escaped June 11, 1854 ; retaken July 5, 1854. — (c) William Turner pardoned.

(d) William

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

NOTE.—The asterisk (*) denotes a discharge of the prisoner.

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				Years.	Months.				Feet.	Inches.			
1853.													
Aug.	3 James Adkins <i>a</i>	Illinois	grand larceny	3		San Joaquin	30	farmer	5	8½	fair	blue	light
	3 H. A. Stephens <i>a</i>	Ohio	Do	3		Do	28	Do	5	11	fair	blue	black
	3 Edward H. Conner	New Orleans	Do	3		Do	24	stevordore	5	5½	florid	hazel	fair
	3 William J. Henry <i>b</i>	New York	Do	1	6	Do	28	shoemaker	5	11½	fair	blue	fair
	3 Clar. W. Valentine	New Jersey	Do	4		Marin	21	clerk	5	3½	fair	blue	dark
	6 Alexander Freeman*	East Indies	Do	1		San Francisco	25	shoemaker	5	1½	dark	black	dark
	6 Clinton Taylor*	Penn.	Do	1		Do	46	merchant	5	6½	fair	blue	dark
	6 Patricio Montaga*	Mexico	Do	1		Do	22	carbonero	5	7	fair	black	dark
	8 William Hartley*	New York	assault with intent to commit murder										
	8 Peter Mahan*	Ireland	grand larceny	1		Placer	38	sailor	5	7½	fair	blue	light
	8 Victor Contrea*	France	Do	1		San Francisco	33	Do	5	7½	fair	blue	light
	11 Samuel Cohen	Germany	Do	1		Do	26	tailor	5	1½	fair	blue	dark
	11 James Leach*	England	Do	3		Mariposa	21	Do	5	7¼	light	blue	dark
	11 William Williams*	Do	Do	1		Do	26	blacksmith	5	7	dark	blue	light
	11 James Irving*	Scotland	Do	1		Do	26	boiler maker	5	6	light	blue	dark
	11 J. D. Loring*	Mass.	Do	1		Do	22	printer	5	10½	fair	blue	light
	12 Raphael Gallenti	Malta	sodomy	1		Do	27	sailor	5	8½	fair	gray	dark
	13 Obadiah Paylin, mula tto, N. York	Malta	manslaughter	5		Monterey	40	tavern keeper	5	4½	dark	black	black
	19 William Powers	Do	robbery and highway robbery	2		San Francisco	22	steward	5	6	dark	black	black
				20		Do	32	painter	5	10½	fair	blue	light

19 Jack Bowen <i>c</i>	R. Island	robbery and highway robbery	20	San Francisco	24 sailor	5 $5\frac{1}{4}$ dark	black
19 George Wright	England	highway robbery	10	Do	21 steward	5 $\frac{1}{2}$ fair	dark
19 Hiram Durlan	Missouri	having counterfeit money	10	Calaveras	33 farmer	5 $6\frac{1}{4}$ fair	blue
19 John Maguire <i>d</i>	Ireland	grand larceny	3	San Francisco	22 steward	5 $6\frac{1}{2}$ fair	hazel
19 Thomas Brown*	Illinois	Do	1	Yreka	19 ox driver	5 $8\frac{1}{4}$ fair	hazel
Sept. 1 Samuel Lago <i>e</i>	Penn.	assault with intent to commit murder	2	Tulare	23 carpenter	5 $11\frac{1}{2}$ fair	blue
1 James Hadden	Indiana	grand larceny	2	Sacramento	21 carpenter	5 $9\frac{1}{2}$ fair	hazel
1 L. E. Cushman <i>f</i>	Ohio	Do	2	Do	28 carpenter	5 $10\frac{1}{2}$ fair	hazel
1 Emanuel Chevarrie	B. Ayres	Do	5	Do	26 blacksmith	5 $\frac{1}{2}$ dark	black
2 Charles Crauc*	Germany	Do	1	Do	23 baker	5 $7\frac{1}{4}$ fair	hazel
10 Antonio Gonzales*	Mexico	Do	1	Mariposa	26 laborer	5 $5\frac{1}{8}$ dark	black
16 Montagne Lyons*	S. Carolina	assault and battery, with intent to commit murder	1	Sierra	20 clerk	5 $11\frac{1}{2}$ fair	hazel
18 Sulzoro*	S. America	grand larceny	1	Calaveras	28 musician	5 $5\frac{1}{4}$ mul' to black	auburn
19 Daniel McMillen <i>g</i>	Ohio	Do	1	San Joaquin	32 farmer	5 $\frac{1}{4}$ fair	black
19 Ai Yai	China	Do	2	Do	23 cook	5 $\frac{3}{4}$ olive	black
22 John Savage*	Penn.	Do	1	San Francisco	24 sailor	5 $6\frac{1}{4}$ fair	hazel
22 George Williams*	England	Do	1	Do	32 cabinet maker	5 $3\frac{1}{2}$ fair	dark
22 Wm. Harrington*	Sweden	Do	1	Do	30 sailor	5 $7\frac{1}{2}$ fair	blue
22 Edward Delaroe	Germany	Do	3	Do	21 laborer	5 $\frac{1}{2}$ dark	black
22 William Jennings	Virginia	Do	7	Do	36 sailor	5 $7\frac{1}{8}$ fair	hazel
22 Michael Hines	Ireland	Do	3	Do	35 machinist and stone cutter	5 $7\frac{1}{2}$ fair	hazel
31 Juan Garcia*	Mexico	Do	1	Tuolumne	22 laborer	5 $\frac{1}{2}$ dark	black
31 Jesus Santos*	Mexico	Do	1	Do	26 laborer	5 $6\frac{1}{8}$ dark	black

(*c*) James Adkins and H. A. Stephens pardoned ——— (*d*) William J. Henry escaped. Marked with scars on the left hand. Letters J. E. C. on the left arm, and small ink mark near the elbow ——— (*e*) Jack Bowen escaped twice and retaken. ——— (*f*) John Maguire escaped July 24, 1854; scars on his right leg; anchor, with J. M. on right arm, and several scars on forehead. ——— (*g*) Samuel Lago escaped October, 1854. Has scar inside left arm below the elbow—vaccination marks. ——— (*h*) L. E. Cushman escaped—retaken—(*i*) D. McMillen escaped in June, 1854. Lame from paralysis—D. T. McC., and anchor and girl on right arm.

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

NOTE.—The asterisk (*) denotes a discharge of the prisoner.

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				Years.	Months.				Feet.	Inches.			
1853.													
Oct.	31 James Pool <i>a</i>	Ireland	highway robbery	1		Tuolumne	29 farmer		5	10½	fair	blue	dark
	31 Francesco Medina	Mexico	manslaughter	2		Do	42 cook		5	4	dark	black	black
	31 James Wallman	Norway	grand larceny	10		Do	36 sailor		6	1	fair	blue	fair
	31 Manuel Parrawa*	Portugal	assault & battery with intent to kill			Do	30 farmer		5	6	fair	dark*	auburn
	31 David Duncan*	Ireland	highway robbery	1		Do	38 farmer		5	6½	fair	blue	fair
Nov.	8 Jesus Camanche	Sonora	grand larceny	6		Sacramento	40 vaquero		5	2½	dark	hazel	dark
	8 Samuel Baker*	Nova Scotia	Do	1		San Francisco	26 sailor		5	7¼	fair	dark	dark
	8 James McNulty	England	assault with a deadly weapon	2		Sacramento	24 sailor		5	6	fair	blue	auburn
	8 Alexander Williams*	New York	grand larceny	1		San Francisco	23 harness maker		5	7	dark	hazel	dark
	8 George Dashwood*	Canada	Do	1		Do	21 storekeeper		5	6½	fair	blue	light
	8 Frank Clark*	Canada	Do	1		El Dorado	39 founder		5	4½	fair	blue	light
	16 George Reily	New York	Do	4		Sacramento	24 moulder		5	2½	dark	black	black
	18 Louis Frank <i>alias</i> Rie- geel	Germany	Do	5		Mariposa	23 baker		5	11¼	fair	blue	fair
	22 John Andrews <i>alias</i>												
	Jock Humphries <i>b</i>	Italy	assault	9		San Francisco	23 laborer		5	3½	dark	black	black
	22 Fracase Rodriguez <i>c</i>	Mexico	grand larceny	1		Do	18 laborer		5	9	dark	black	black
	22 Manuel Valaviso <i>d</i>	Chile	Do	1		Do	16 laborer		5	3	light	blue	dark

22	Francisco Peters	West Indies	Do	1	6	Do	48 cook	5	7 1/2	copper	hazel	dark
22	Guadalupe de la Cruz	Mexico	Do	1	1	Do	17 laborer	5	2	dark	black	black
22	Charles Massinger*	France	Do	1	1	Do	51 fisherman	5	3 1/2	fair	hazel	dark
Oct.	23 Charles Say*	Connecticut	Do	1	1	Placer	21 laborer	5	3 1/2	fair	hazel	dark
Dec.	2 Jesse Bennett f	New York	Do	1	1	El Dorado	23 farmer	4	9 1/2	fair	hazel	sandy
	8 John Anderson	Ohio	Do	1	1	6 Sacramento	26 farmer	5	8 1/2	fair	hazel	dark
	10 William Nicholson g	Mass.	Do	4	4	Marin	27 printer	5	7 1/2	fair	blue	dark
	25 Wang You Fou	China	assault with intent to commit murder	14	14	Calaveras	30 laborer	5	3	dark	black	black
	27 John Kuiply	Bavaria	assault with attempt to murder	2	2	Monterey	42 farmer	5	7 1/2	fair	blue	light
	27 Domingo (Indian)	California	murder	10	10	Santa Barbara	22 vaquero	5	4 1/2	dark	black	black
1854.												
Jan.	1 Henry Smith h	Germany	highway robbery	20	20	San Francisco	27 ship carpenter	5	4 1/2	fair	blue	light
	1 Peter Thompson	Antwerp	grand larceny	3	3	Do	29 laborer	5	6 1/2	fair	hazel	light
	1 Charles R. Drew	England	manslaughter	1	1	Do	38 trader	5	4 1/2	fair	blue	light
	1 Thomas Ashton	Virginia	assault with attempt to murder	1	1	El Dorado	35 merchant	5	5 1/2	fair	blue	light
	3 Timothy Donovan i	Ireland	perjury	1	1	Do	36 laborer	5	6	fair	blue	light
	3 John Gustavus, negro	Dist. of Col.	Do	2	2	Do	54 butcher	5	7	black	black	black
	6 J. H. Harper	Dist. of Col.	grand larceny	7	7	Butte	28 lawyer	5	7	hair	hazel	gray
	6 Henry Gartloff	Germany	assault with attempt to murder	10	10	Do	36 machinist	5	4 1/2	fair	hazel	light
	21 George Gruff	Ohio	grand larceny	2	2	Sacramento	20 farmer	5	10 1/2	fair	hazel	dark
	21 Edward H. Hovey	Boston	Do	2	6	Do	21 coach painter	5	1 1/2	fair	dark	auburn
	21 Miles Hoadly	New York	Do	1	1	Do	31 sailor	5	5 1/2	fair	blue	auburn
	21 William Robinson	Michigan	Do	1	1	Do	24 farmer	5	2 1/2	fair	blue	fair
	31 William Mickle	New York	highway robbery	10	10	San Francisco	21 farmer	5	5 1/2	fair	hazel	black
	31 Pedro Garcia	Vera Cruz	grand larceny	1	1	Do	26 segar maker	5	5	dark	black	black

(a) James Pool escaped.——(b) John Andrews escaped and retaken.——(c) Fracase Rodriguez escaped, retaken, and discharged.——(d) Manuel Valaviso escaped.——
 (e) Francisco Peters escaped July 13, 1854, and retaken in August, 1854.——(f) Jesse Bennett escaped August, 1854.——(g) William Nicholson escaped February 16, 1854.—body
 marked with small box.——(h) Henry Smith, killed in an emeute July 24, 1854.——(i) Timothy Donovan, pardoned by Act of the Legislature.

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

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				Years.	Months.				Feet.	Inches.			
1854.													
Jan. 31	Henry B. Simmons	New York	grand larceny	1	6	San Francisco	23	salesman	5	10 $\frac{1}{2}$	fair	hazel	dark
31	William H. Hays	N. Hamp're	highway robbery	10		Do	24	sailor	5	7 $\frac{1}{2}$	fair	hazel	dark
Feb. 6	Rowland Hughes	England	manslaughter	1		El Dorado	43	stonemason	5	9 $\frac{1}{2}$	fair	blue	light
6	Pablo Massa	Chile	grand larceny	3		Do	28	carpenter	5	1	dark	black	black
6	Johu Schmitt	Germany	manslaughter	1		Do	27	confectioner	5	1	fair	black	dark
18	James Hobart <i>a</i>	Virginia	grand larceny	7		San Francisco	43	merchant	5	9 $\frac{1}{2}$	fair	blue	dark
18	Robert Harris	England	highway robbery	1		Do	33	steward	6	5	fair	hazel	light
18	George T. Field	Philad.	burglary	1		Do	18	salesman	5	8 $\frac{1}{2}$	fair	blue	light
18	Charles Bossias	Belgium	grand larceny	1		Do	18	porter	5	6 $\frac{1}{2}$	fair	hazel	light
18	Marion Pinero <i>b</i>	Chile	Do	5		Do	18	laborer	5	2 $\frac{1}{2}$	dark	black	black
18	Philippi Gajaro	Chile	Do	7		Do	32	vaquero	5	6 $\frac{1}{2}$	dark	hazel	black
20	Robert Warren <i>c</i>	New York	manslaughter	2		Calaveras	29	printer	5	9 $\frac{1}{2}$	fair	blue	dark
20	John J. Ivey <i>d</i>	Tennessee	grand larceny	7		San Joaquin	25	farmer	5	10	fair	hazel	brown
20	William Ogley	Mass.	assault with attempt to murder	5		Do	25	ship carpenter	5	8 $\frac{1}{2}$	fair	blue	light
20	Dorress W. Duncan	Mass.	grand larceny	1		Calaveras	50	sailor	6	2 $\frac{1}{2}$	dark	hazel	dark
28	Thomas H. Baxter <i>e</i>	Anstralia	Do	1		Alameda	27	veterinary sur.	5	10	light	hazel	light
28	James B. Gates	New York	manslaughter	2		Sacramento	37	farmer	5	7 $\frac{1}{2}$	fair	hazel	auburn
March 8	John R. Hammond	Penn.	highway robbery	4		Yuba	27	sailor	5	5 $\frac{1}{2}$	fair	hazel	auburn
8	Thomas Fielding	New York	burglary	2		Do	33	caulker	5	5 $\frac{1}{2}$	fair	blue	auburn
8	John Wright	Mass.	grand larceny	4		Do	22	laborer	5	9 $\frac{1}{2}$	dark	dark	black

8 Edward Coy	Boston	grand larceny	4	Do	19 waiter	5 6 $\frac{7}{8}$ fair	hazel	auburn
9 Jose Rilas*	Mexico	manslaughter	4	6 Tuolumne	23 laborer	5 9 $\frac{1}{4}$ dark	black	black
9 Whitman Valentine	New York	grand larceny	4	Do	23 barber	5 8 $\frac{1}{2}$ dark	black	black
9 John Moudit	France	Do	1	Do	38 laborer	5 4 $\frac{3}{4}$ fair	black	black
15 Jose A. Rodriguez	California	assault, with intent to commit murder	1	Los Angeles	23 vaquero	5 4 $\frac{3}{8}$ dark	black	black
22 William Peters	France	manslaughter	3	Sacramento	23 cabinet maker	5 7 $\frac{1}{4}$ fair	hazel	dark
22 Thomas Mitchell	Maryland	robbery	7	Do	26 shoemaker	5 10 $\frac{1}{4}$ fair	hazel	light
22 Jul. N. Giddings	New York	grand larceny	1	Do	24 farmer	6 fair	blue	light
22 Jim Cong	China	Do	1	Do	19 cook	5 2 dark	black	black
21 Mook Cha (Indian)	California	manslaughter	3	Mariposa	40	5 6 $\frac{1}{2}$ dark	black	black
21 Corval (Indian)	Do	Do	3	Do	35	5 9 $\frac{1}{2}$ dark	black	black
21 Cherokee Bob	Georgia	grand larceny	10	Do	21 gambler	5 8 $\frac{3}{4}$ dark	black	black
21 Samuel White	Maryland	Do	10	Do	24 merchant	5 7 fair	hazel	auburn
21 James S. Steel*	Kentucky	manslaughter	7	Do	24 mechanic	5 7 fair	hazel	auburn
April 4 Peter Nicholas	Hungary	murder	7	Tuolumne	27 sailor	5 8 $\frac{1}{2}$ dark	black	black
10 William Bowen	Ireland	assault, with intent to commit murder	1	Monterey	35 sailor	5 10 $\frac{3}{4}$ fair	blue	auburn
10 Francis Padle f	Nova Scotia	grand larceny	3	Contra Costa	28 sailor	5 10 fair	hazel	light
10 George Stevens	Malta	assault, with intent to commit murder	2	Solano	45 sailor	5 6 $\frac{7}{8}$ dark	black	gray
10 Mark Israel	France	grand larceny	1	1 Contra Costa	21 pedlar	5 6 $\frac{3}{4}$ fair	hazel	dark
10 Antuanacio Moreno, 2 indictments	Mexico	grand larceny & robbery	15	Los Angeles	24 merchant	5 7 $\frac{3}{8}$ fair	hazel	dark
13 John Caldwell	Ireland	assault with intent to kill	1	Mariposa	31 harness maker	5 9 $\frac{1}{2}$ fair	hazel	black
13 Frank Wilcox	Canada	burglary	1	Yuba	20 waiter	5 9 $\frac{1}{2}$ fair	hazel	auburn
15 Fritz West	Germany	grand larceny	5	San Francisco	25 sailor	5 9 $\frac{1}{4}$ fair	hazel	black
							hazel	light

(a) James Hobart escaped 6th of May, 1854. Has a wart on the right side of his nose.—— (b) Marien Pintero escaped July 24, 1854; badly wounded in the leg by a ball from the guards; scar on the left shin, heavy mule, and hard face.—— (c) Robert Warren escaped September 24, 1854; retaken November 3, 1851.—— (d) John J. Avey escaped July 24, 1854; has three moles on both sides of his face; forefinger of left hand disfigured, and two front teeth gone.—— (e) Thomas H. Baxter pardoned April 1, 1854.—— (f) Francis Padle escaped September 24, 1854. F. P. * on left arm, and both ears pierced.

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

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				Years.	Months.				Feet.	Inches.			
1854.													
April 15	George Sullivan	Maryland	grand larceny	1		San Francisco	23	shoemaker	5	8 $\frac{1}{2}$	mulat.	hazel	black
15	Henry Wilson	Pennsylv'n'a	Do	1		Do	19	farmer	5	4 $\frac{1}{2}$	fair	hazel	light
21	Thomas Mancilla	Chile	murder	5		Mariposa	20	sailor	5	3 $\frac{1}{2}$	fair	black	black
May 8	John Berger	New York	grand larceny	1		Sacramento	21	steward	5	4 $\frac{1}{4}$	fair	blue	light
8	George Humphrey	Philad.	Do	1		Do	19	carpenter	5	10 $\frac{3}{4}$	fair	blue	light
8	Peter Barton	Germany	Do	1		Do	21	laborer	5	9 $\frac{5}{8}$	fair	black	black
8	Philip Arnest	Germany	Do	1		Do	23	farmer	5	10 $\frac{1}{4}$	fair	blue	light
8	John Brown	Virginia	Do	5		Do	22	moulder	5	9 $\frac{1}{4}$	fair	hazel	black
8	Benjamin Wohl	France	assault, with intent to commit bodily injury	2		San Francisco	33	clerk	5	4 $\frac{7}{8}$	fair	blue	dark
16	Charles Moody <i>a</i>	Pennsylv'n'a	grand larceny	4		Do	27	cook	5	9 $\frac{3}{4}$	fair	blue	fair
16	Patrick Cosgrove	Ireland	Do	3		Do	18	porter	5	5 $\frac{1}{4}$	fair	hazel	red
16	John R. Weldon <i>b</i>	Virginia	Do	1		El Dorado	28	clerk	5	11 $\frac{1}{2}$	dark	hazel	black
17	Henry F. Lawrence	Mass.	Do	2		Do	23	cigar maker	6	1 $\frac{1}{2}$	fair	blue	light
17	Jonathan R. Guthrie <i>c</i>	Louisiana	Do	2		Do	35	engineer	5	11 $\frac{1}{2}$	fair	hazel	auburn
17	Isan	China	Do	1		Do	30	merchant	5	5	dark	black	black
25	Horace Brewster*	Ohio	manslaughter	1		Placer	30	horse trainer	5	8	fair	blue	black
25	John Cary	Ireland	assault, with intent to commit a rape	5		Do	50	farmer	5	9 $\frac{5}{8}$	fair	blue	auburn
25	Pedro Madria <i>e</i>	Mexico	Do	7		Contra Costa	23	laborer	5	8 $\frac{1}{2}$	dark	black	black
25	Jacinta Zuriega	Chile	grand larceny	3		Do	26	shoemaker	5	5 $\frac{1}{2}$	dark	black	black

25 Sebastian Butecira	Do	Do	3	35 laborer	5 8 $\frac{1}{2}$ dark	black
25 Pedro Ruez	Do	Do	3	Do	5 8 $\frac{1}{2}$ fair	black
29 John Henderson <i>alias</i> Boege	Mass.	burglary	3	18 pianoforte maker		
29 Juan Marier	Bordeaux	grand larceny	3	20 clerk	5 9 fair	blue
June 5 John Comer	Ireland	robbery	3	23 miner	5 6 fair	brown dark
5 Francisco Albarra	Mexico	Do	3	24 packer	5 6 fair	black
13 Cyrus Peters	Ohio	grand larceny	3	24 farmer	5 4 $\frac{1}{2}$ dark	black
13 Andreas Rambes	San Juan	assault, with intent to commit bodily injury	3		5 9 $\frac{3}{4}$ dark	hazel dark
13 John A. Marshall	Alabama	grand larceny	1 1d	22 Digger	5 8 $\frac{1}{2}$ dark	black
19 Albert E. Johnson	Vermont	Do	4	22 carpenter	5 7 $\frac{1}{2}$ fair	hazel light
19 John Johnson	Germany	Do	1	21 laborer	5 6 $\frac{1}{4}$ fair	hazel dark
21 John Robinson	Scotland	Do	2	30 shipwright	5 8 $\frac{3}{4}$ fair	blue auburn
21 Edward Campbell	Ireland	assault with a deadly weapon	2	32 laborer	5 8 $\frac{1}{2}$ fair	weak auburn
22 Damasio Perez	Chile	grand larceny	1	24 barber	5 6 $\frac{3}{4}$ light	blue auburn
22 Cayetano Morino	Mexico	manslaughter	1	20 laborer	5 6 $\frac{1}{4}$ dark	black
26 Jose Cerbelo Barelaz	California	perjury	3	37 cigar maker	5 5 $\frac{1}{4}$ dark	black
July 1 Thos. McF. Foley <i>e</i>	Scotland	manslaughter	1	41 laborer	5 5 $\frac{1}{2}$ dark	black
7 Laoni Ballarti	Mexico	assault with a deadly instrument	3	printer		
7 Raphael Martinez	Do	assault with intent to commit murder	2	19 laborer	5 9 $\frac{3}{4}$ dark	black
7 John Gardner	Ireland	manslaughter	3	20 gambler	5 7 $\frac{3}{4}$ dark	black
26 John Sullivan, 2d term	New York	burglary	2	23 laborer	5 5 $\frac{1}{2}$ dark	black
26 John Eckle	Germany	grand larceny	3	19 moulder	5 5 $\frac{1}{4}$ fair	blue sandy
26 Frederick Eckle	Do	Do	1	18 sailor	5 5 $\frac{3}{4}$ fair	blue brown
26 Pedro Gomez	Chile	Do	1	43 Do	5 5 $\frac{3}{4}$ fair	blue brown
		Do	1	24 laborer	5 9 $\frac{3}{4}$ light	black

(a) Charles Moody escaped and retaken. — (b) John R. Wilson escaped June 24, 1854; has a scar on the forehead and ink stain on left hand. — (c) J. R. Guthrie escaped and retaken. — (d) Pedro Madria escaped July 21, 1854. Small pox marks—100 in ink on left hand, and one large and two small dots on right. — (e) T. McF. Foley escaped.

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

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				Years.	Months.				Feet.	Inches.			
1854.													
July	26 John Lincoln	New York	grand larceny	5		San Francisco	28	mach. & eng'r.	5	8 $\frac{1}{2}$	fair	blue	dark
	26 Richard Berry	Ireland	Do	4		Do	29	sailmaker	5	5 $\frac{3}{4}$	dark	black	black
	26 William Curran	New York	Do	1		Do	25	sailor	5	5 $\frac{1}{2}$	light	hazel	dark
	26 Jesse Bell	Do	Do	4		Do	18	cook & steward	5	6 $\frac{1}{2}$	fair	hazel	brown
	26 John Smith	England	Do	1		Do	21	farmer	5	4	fair	dark	brown
Aug.	4 Juan Chapo (Indian)		manslaughter	1		Los Angeles							
	7 Edward Farrell	Ireland	grand larceny	1		San Francisco	31	clerk		8	fair	blue	brown
	7 Anastacio La Forge	California	Do	1		Do	23	ranchero		6 $\frac{1}{4}$	dark	black	black
	7 William Welsh	Mexico	Do	1		Do	19	grain dealer		7 $\frac{1}{4}$	fair	black	brown
	7 William Kelley	Penn.	Do	2		Do	22	miner		8 $\frac{3}{4}$	dark	brown	dark
	7 Jose de Flores	Spain	Do	4		Do	38	barber	5	5 $\frac{3}{4}$	dark	hazel	black
11	Sacramento Valen- zuela	Mexico	Do	3	8 $\frac{1}{2}$	Contra Costa	22	ranchero	5	6 $\frac{1}{4}$	dark	black	black
12	Henry M. Knox	Virginia	Do	2		San Francisco	33	laborer	5	6 $\frac{1}{2}$	dark	hazel	dark
14	Henry Dobbins	New York	Do	2		Solano		blacksmith	5	11	light	blue	black
15	Henry Hayes	England	Do	7		Tuolumne	20	blacksmith	5	9 $\frac{3}{4}$	fair	blue	light
15	Francis Brown	Mass.	Do	2		Do	18	laborer	5	5 $\frac{1}{4}$	light	gray	red
16	William Lecount a	New York	Do	1		El Dorado	20	laborer	5	6 $\frac{1}{2}$	fair	blue	auburn
16	Collin Douglass	Scotland	Do	1		Do	22	laborer	5	8 $\frac{1}{2}$	fair	blue	black
16	J. W. Potts	N. Carolina	Do	1		Do	26	laborer	5	11	fair	hazel	light
16	John G. Aldrich	Vermont	Do	1		Do	24	laborer	5	10 $\frac{1}{4}$	fair	blue	light
16	William Hurlburt	Ohio	Do	1		Do	23	farmer	5	9 $\frac{1}{2}$	fair	hazel	dark

18	Jose Maria Gonzales	Chile	Do	3	Mariposa	24 laborer	5	6	dark	black	black
18	Pascual Guero	Do.	Do	3	Do	25 laborer	5	5 $\frac{1}{4}$	dark	black	black
21	Charles Carson	S. Carolina	Do	1	Yuba	22 laborer	5	9	light	blue	light
21	Joseph Malcolmson	Ireland	Do	2	Do	23 laborer	5	9 $\frac{1}{4}$	light	blue	light
21	Jacob M. Kinsey <i>b</i>	England	Do	3	Do	22 laborer	5	7 $\frac{3}{4}$	dark	hazel	dark
25	Leonard L. Tufts	Connecticut	forgery	7	San Francisco	34 farmer	5	8 $\frac{1}{2}$	light	blue	dark
25	Thomas O'Connor	Ireland	grand larceny	1	Do	21 barkeeper	5	6 $\frac{1}{2}$	dark	hazel	black
25	Peter Miller	Germany	assault with a deadly weapon	1	Calaveras	34	5	7 $\frac{1}{4}$	dark	hazel	black
25	James Low	Do	assault with a deadly weapon	2	Do	25 laborer	5	8	dark	blue	black
25	William Courtney	Ireland	assault, with intent to commit a rape	10	Do	27 bricklayer	5	7	dark	blue	black
25	William McCann	Scotland	grand larceny	1	Do	30 teamster	5	6 $\frac{3}{4}$	light	blue	light
Sept. 2	John Alexander	France	Do	2	San Francisco	23 cook	5	8	dark	gray	black
2	Henry A. Picquet <i>c</i>	Do	Do	2	Do	20 sailor	6	4	fair	black	black
2	Martel Galliard <i>d</i>	Do	Do	2	Do	29 sailor	5	4 $\frac{1}{2}$	fair	blue	light
2	Lafont Raymond	Do	Do	2	Do	19 sailor	5	3 $\frac{3}{4}$	fair	hazel	brown
2	Jose Maria, negro	Spain	Do	5	Do	16 tailor	5	2 $\frac{3}{4}$	black	black	black
2	Valentine Ebbetts	Ireland	Do	1	Do	38 cook	5	3 $\frac{1}{2}$	light	hazel	light
2	William Ferry <i>e</i>	Do	burglary	1	Do	26 sailor	5	6 $\frac{1}{2}$	light	gray	dark
2	Henry B. Mullen	New York	grand larceny	1	Do	45 carpenter	5	7 $\frac{1}{4}$	light	blue	auburn
2	John A. Arrison	Do	Do	1	Do	20 plumber	5	8	dark	hazel	dark
2	Ah Wah	China	Do	5	Sacramento	25 laborer	5	6 $\frac{1}{2}$	dark	hazel	black
9	James Goodwin	Tennessee	manslaughter	3	Butte	37 laborer	6	5	dark	blue	dark
14	Timothy Ryan	Ireland	Do	3	Alameda	25 laborer	5	6 $\frac{3}{4}$	dark	blue	black
14	Albert Edwards	Mass	Do	1	Placer	22 bookkeeper	5	6 $\frac{3}{4}$	light	hazel	fair
16	John McKenna	Ireland	Do	2	San Francisco	28 laborer	5	9 $\frac{1}{4}$	dark	gray	dark
16	Thomas Sullivan	Do	Do	1	Do	18 laborer	5	4 $\frac{1}{2}$	light	hazel	fair
16	Francisco Montoyer	Mexico	Do	1	Do	28 laborer	5	6 $\frac{1}{2}$	dark	black	black

(a) William Leconte escaped September 28, 1854. One of the guards killed in the fight. ——— (b) Jacob M. Kinsey escaped and retaken. ——— (c) H. A. Picquet wounded in an emeute ——— (d) M. Galliard killed in an emeute. ——— (e) Wm Ferry escaped and retaken.

REGISTER AND DESCRIPTIVE LIST OF CONVICTS—Continued.

NOTE.—The asterisk (*) denotes a discharge of the prisoner.

When received.	Name of convict.	Nativity.	Crime.	Sentence.		County sent from.	Age.	Occupation.	Height.		Complexion.	Color of Eyes.	Color of Hair.
				Years.	Months.				Feet.	Inches.			
1854.													
Sept. 16	Antonio Tuad	New Mexico	grand larceny	1		San Francisco	20	laborer	5	6	light	black	black
	John C. Smith	Maryland	assault, with intent to commit bodily injury, and mayhem										
16	Louis Doallan	France	grand larceny	3		Do	22	sailor	5	9 $\frac{1}{4}$	fair	brown	brown
24	John Dean	Indiana	Do	1		Do		laborer	5	3 $\frac{1}{2}$	dark	hazel	black
24	John Gallagher	Illinois	Do	2		Siskiyou		laborer	5	9	dark	gray	black
24	Clark Curry	Indiana	Do	1		Do		printer	5	4 $\frac{1}{2}$	light	gray	light
24	Pablo Contreras	Mexico	Do	1		Do		farmer	6		light	gray	light
	John Porter, (negro)	Trinidad	Do	2		San Francisco		laborer	5	8 $\frac{1}{2}$	light	dark	black
Oct.	C. G. Smith	Texas	mayhem	2		Sacramento	32	cook	5	3 $\frac{1}{2}$	black	black	black
	James R. Atkins	Illinois	grand larceny	2		Do	31	surveyor	5	10 $\frac{1}{2}$	light	blue	light
	Henry A. Stephens	Ohio	Do	5		Do	30	farmer	5	10	fair	gray	auburn
	James Newland	Missouri	Do	5		Do	29	farmer	5	11 $\frac{1}{2}$	fair	gray	dark
	Manuel Mariano	Sonora	robbery	1		Solano	16	blacksmith	5	5	fair	gray	dark
	Juan Urrea	New Mexico	grand larceny	10		Mariposa	27	laborer	5	6 $\frac{3}{4}$	light	dark	black
	Ylario Gonzales	California	assault, with intent to commit murder	5		Do	18	tailor	5	4 $\frac{3}{4}$	light	dark	light
	Baptiste Garvaga	New Mexico	grand larceny	14		Do	28	miner	5	11	dark	black	black
	Pedro Sesa	California	Do	10		Do	23	laborer	5	4 $\frac{1}{2}$	light	black	black
				5		Do	16	laborer	5	7 $\frac{1}{2}$	dark	black	black

15	Ysidoro Garcia, Indian, Do.	assault with intent to commit bodily injury.	6 Santa Cruz	20 vaquero	5	8 $\frac{1}{2}$ dark	black	black
17	Yade Feinaspin	grand larceny	Tuolumne	26 miner	5	9 $\frac{1}{2}$ light	blue	light
19	Al You	Do	Yuba	18 washman	5	7 $\frac{1}{4}$ yellow	black	black
19	William Bryant	Do	Do	21 farmer	5	10 $\frac{1}{2}$ fair	hazel	dark
19	Robert D. Wilnot	burglary	Do	21 cook	5	7 $\frac{1}{2}$ light	gray	auburn
19	John Ancho	grand larceny	Sierra	25 washman	5	6 yellow	black	black
29	George Sullivan	Do	Nevada	25 farmer	5	5 $\frac{1}{2}$ light	hazel	light
29	James Smith	manslaughter	San Francisco	33 butcher	5	8 $\frac{1}{4}$ light	gray	auburn
29	John Smith	burglary	Sacramento	40 laborer	5	6 dark	gray	dark
29	Me Sing	manslaughter	Placer	22 miner	5	4 $\frac{1}{4}$ yellow	black	black
29	George Taylor	grand larceny	San Francisco	19 steward	5	8 light	blue	auburn
29	William Hull	Do	Do	28 sailor	5	5 $\frac{1}{4}$ dark	hazel	black
29	Michael Campbell	Do	Do	18 jeweler	5	5 $\frac{1}{4}$ fair	hazel	dark
29	Henry Hensley, negro	burglary	Do	16 steward	5	6 $\frac{1}{2}$ black	black	black
Nov.	6 Barney C. Smith	grand larceny	Trinity	27 miner	5	3 dark	hazel	dark
9	David Armstrong	Do	Sacramento	42 carpenter	5	8 $\frac{1}{2}$ light	hazel	sandy
9	James McInturn	Do	Do	54 tinsmith	5	7 $\frac{1}{2}$ light	gray	light
9	Sammuel Cochran	assault with intent to commit a rape	Do	50 storekeeper	5	8 $\frac{1}{2}$ fair	gray	gray
9	James Graham	grand larceny	Do	31 sailor	5	9 $\frac{1}{2}$ dark	brown	black
9	Charles Stevens	Do	Do	35 shoemaker	5	9 $\frac{1}{2}$ fair	blue	auburn
9	P. Davidson	Do	Do	24 plasterer	5	8 $\frac{1}{4}$ dark	blue	auburn
9	Irvin Paine	Do	Do	28 laborer	5	7 $\frac{1}{4}$ fair	gray	light
9	John McClelland	Do	Do	65 clerk	5	7 $\frac{1}{2}$ fallow	blue	white
Sept.	11 James Smith	assault, to commit a rape	Do	baker				
11	Fernando Gonzales	grand larceny	Contra Costa	15 vaquero	5	6 $\frac{1}{4}$ yellow	black	black
Nov.	Juan Valdes	Do	Do	40 vaquero	5	4 fallow	hazel	black
15	John H. Thompson	murder	Calaveras	43 farmer	5	10 $\frac{1}{4}$ light	blue	black

(a) John Dean escaped and retaken. — (b) John H. Thompson killed in escaping.



TRANSCRIPT OF
RECEIVED, ESCAPED, AND RETURNED PRISONERS,
SINCE THE INSPECTION OF STATE PRISON BOOKS.

TRANSCRIPT

Of Prisoners received, and escaped Prisoners returned, since the inspection of the State Prison Books by the Inspectors.

When received.	Name of Convict.	Nativity.	Crime.	Sen- tence.		County sent from.	Age.	Occupation.	Remarks.
				Years.	Months.				
1854.									
Nov.	26 Francis Campbell	Ireland	burglary	1		San Francisco	24	butcher	
	26 John R. Bradford	England	forgery	2		Do	34		
	26 George Crawford	N. Hamp'se	grand larceny	1		Do	25	carpenter	
Dec.	6 John Turner	Ireland	mayhem	1		Do	28	cabinet maker	
	6 James F. Morse	Vermont	grand larceny	5		Do	25	physician	
	6 Ben Parker <i>alias</i> Mor-								
	timor Wilson	England	forgery	1		Do	34	teamster	
	6 Edward S. Read	New Jersey	grand larceny	2		Do	25	steward	
	10 John McCarty	Ireland	Do	2		Santa Clara	23	laborer	
	12 Henry King	New York	Do	2		Placer	23	laborer	
	14 Theodore M. Rouse	Do	receiving stolen goods	1		Amador	27	carpenter	
	14 Santiago Munios	Chile	robbery	3		Do	19	laborer	
	14 Francisco Ruiz	Mexico	assault, with intent to commit murder	5		Do	35	laborer	
	16 Thomas Crooks	Ireland	murder	10		Do	32	laborer	
	16 Juan Rodriguez	Mexico	grand larceny	1		Tuolumne	23	laborer	
	16 Francisco Morales	Do	Do	3		Do	23	laborer	
	20 Richard Baxter	Ireland	Do	1		Do	20	laborer	
	24 Luke M. Patrick	Missouri	Do	1		El Dorado	30	farmer	
	24 Afoy	China	assault, with intent to commit a rape	1		Do	30	laborer	
	25 William Clayton	Penn.	perjury	10		Calaveras	24	carpenter	

25 You Chew	China	grand larceny	2	Do	22 laborer
25 William Martin	England	assault, with intent to commit murder	1	Do	31 miner
25 J. W. Farrow	Penn.	No crime stated	1	Sierra	32 blacksmith
25 John Lake	Ireland	Do	1	Do	54 laborer
28 James Stewart	New York	murder	10	Trinity	24 coppersmith
30 Manuel Garcia	Chile	grand larceny	6	Yuba	21 laborer
30 John H. Harliss	Virginia	Do	2	Do	34 farmer
30 H. B. Hustis	Vermont	Do	3	Sutter	22 laborer
1855, Jan. 10 John Smith, <i>alias</i> My- crs	Germany	Do	3	Shasta	28 baker
10 John N. Steel	Kentucky	Do	2	Do	25 laborer
10 O. A. Wilson	Sweden	Do	1	Siskiyou	33 carpenter
10 Llanuario	California	Do	3	Santa Barbara	25

A. H. PILLOW,

Superintendent.

Prisoners returned.

When received.	Name of Convict.	Nativity.	Crime.	Sen- tence.		County sent from.	Date of escape.	Date of recapture.
				Years.	Months.			
1854.								
June 21	John Robinson	Scotland	grand larceny	2		San Joaquin	September 28, 1854.	December —, 1854.
April 15	Frank Wileox	Canada	burglary	1		Yuba	November 26, 1854.	December 30, 1854.
1851.								
Aug. 1	James Burns	England	grand larceny	10		San Francisco	October 24, 1854.	January 1, 1855.
1853.								
Jan. 17	William Morris	Ireland	Do	10		Do	October —, 1854.	January 18, 1855.

A. H. PILLOW,

Superintendent.

DESCRIPTION OF ESCAPED PRISONERS.

DECEMBER 27, 1854.

At Large.

William C. Reeves; native of Texas. Sent for grand larceny from Mariposa, in October, 1852, for five years. 24 years of age, 5 feet, $9\frac{7}{8}$ inches high, dark complexion, blue eyes, auburn hair; has a blood scar on right thigh; vaccination mark.

At Large.

James Smith was sent from Sacramento in October, 1851, for grand larceny; sentenced to two years. He escaped from the Prison Brig in January, 1852, and was retaken March, 1854. A baker by trade.

At Large.

James R. Atkins, a native of Illinois. Sent from Sacramento in Oct. 1854, for five years. Crime, grand larceny. Is 30 years of age, 5 feet 10 inches high, fair complexion, grey eyes, auburn hair.

Badly Wounded, at Large.

Henry A. Stephens, a native of Ohio, sent from Sacramento at same date and for same charge as James R. Atkins. Sentenced to five years. Is 29 years of age, 5 feet $11\frac{1}{2}$ inches high, fair complexion, grey eyes, dark hair. Has a scar on left arm a little below the elbow; scar on left foot.

Killed.

John Henderson, *alias* Boyle, a native of Massachusetts. Was sent from Sierra county, in May, 1854, for burglary. Sentenced to three years. A piano forte maker by trade. 5 feet 9 inches high, fair complexion, blue eyes, black hair. Has a scar on corner of right eye; one over left eye; "100" in India ink on left hand, between thumb and fore finger; one large and 2 small dots in ink on right hand.

Retaken.

Collin Douglass, a native of Scotland. Was sent from El Dorado county in August last. Crime, grand larceny. For one year. Is 22 years of age, 5 feet

8½ inches high, fair complexion, blue eyes, black hair. Has a scar on the crown of his head, size of a quarter dollar.

Wounded, at Large.

Michael Hines, a native of Ireland. Was sent from San Francisco in October, 1853. Crime, grand larceny. For three years and nine months. Is 35 years of age, a stone-cutter and machinist by trade. 5 feet 7½ inches high, fair complexion, hazel eyes, dark hair, top of head nearly bald; small cut under right eye, and one back of it on right temple; two cuts under right eye; two pock marks corner of left eye.

At Large.

George Wright, a native of England. Was sent from San Francisco, for highway robbery, in August, 1853, for 10 years. Is a steward by occupation, 22 years of age, 5 feet 6 inches high, fair complexion, dark eyes, dark hair. Has a large white spot under the pupil of the left eye.

At Large, Badly Wounded.

William Powers, a native of New York. Was sent from San Francisco in August, 1853, for highway robbery, (two indictments). Sentenced to 20 years. Is a painter by trade, 32 years of age, 5 feet 10½ inches high, fair complexion, blue eyes, light hair. U. S. coat of arms on his breast, seaman's guide on the right arm, a sailor with U. S. flag and uplifted cutlass, a figure with an Indian and musket standing under a tree, scar on the nose and one above the left ear.

Wounded, at Large.

William Watkins, a native of Virginia. Was sent, for burglary, from San Francisco, in June, 1851, for ten years. Is 29 years of age, 5 feet 8½ inches high, light complexion, blue eyes, light hair. Has a scar on left temple, slight scar on right cheek, small scar on top of his head.

Retaken, Thigh Broken by a Ball.

William Fleck, a native of Ohio. Was sent from Placer county, for grand larceny, in June, 1853, for ten years. Is 26 years of age, 5 feet 7 inches high, fair complexion, hazel eyes, dark hair, small scar on under part of his chin.

Retaken, Wounded.

George Riley, a native of New York. Was sent from Sacramento, for grand larceny, in November, 1853, for four years. Is 24 years of age, a moulder by trade, 5 feet 2½ inches high, dark complexion, black hair, black eyes.

Retaken.

C. G. Smith, a native of Texas. Was sent from Sacramento, for grand larceny, in October, 1854, for two years. Is 31 years of age, a surveyor by occupation, 5 feet 10½ inches high, light complexion, blue eyes, light hair. Has a scar on left cheek.

Retaken. Wounded.

William Terry, a native of Ireland. Was sent from San Francisco, for one year, in September, 1854, for grand larceny. Is a sailor, 26 years old, 5 feet 6½ inches high, light complexion, grey eyes, dark hair, scar on right corner of his mouth, cross eyes.

Killed, in attempting a Recapture.

Juan Marier, a native of France. Was sent from Alameda, for grand larceny, in May, 1854, for three years. Is 23 years of age, 5 feet 6 inches high, fair complexion, brown eyes, dark hair, scar over the lip, on the right.

Retaken, Dangerously Shot.

John Welch, a native of Ireland. Was sent from Sacramento, in February, 1851, for grand larceny. Sentenced to ten years. Is 36 years of age, 5 feet 8½ inches high, fair complexion, blue eyes, dark hair, two scars on right eyebrow, branded on both cheeks, vaccinated on right arm.

Retaken, Wounded.

William Bryant, *alias* Sydney Brown, a native of England. Sent from Yuba, for grand larceny, in October, 1854, for ten years. Is 21 years of age, 5 feet 10½ inches high, fair complexion, hazel eyes, dark hair, heavy eyebrows.

Killed.

Henry Wilson, a native of Pennsylvania. Sent from San Francisco, for grand larceny, in April, 1854, for one year. Is 19 years old, 5 feet 4½ inches high, fair complexion, hazel eyes, light hair. His right arm has been broken at the elbow and cannot be stretched nor closed against the body. Two large moles on the chin and one on the right jaw.

Retaken.

P. Davidson, a native of Kentucky. Sent from Sacramento, in November, 1854, for two years. Crime, grand larceny. Is a plasterer by trade, 5 feet 8¼ inches high, 24 years of age, dark complexion, blue eyes, auburn hair. Has a small scar over right eyebrow, small one on left cheek.

Badly Wounded, at Large.

Richard Berry, a native of Ireland. Was sent from San Francisco, for grand larceny, in July, 1854, for four years. Is 29 years of age, a sail maker by trade, 5 feet $5\frac{3}{4}$ inches high, dark complexion, black eyes, black hair, bracelet round right wrist in India ink, R. R. B., R. B. and M. B. and M. M. on right arm.

Shot in the Hip, at Large.

John Lincoln, a native of New York. Was sent from San Francisco, for grand larceny, in July, 1854, for five years. Is a machinist and engineer by trade, 28 years of age, 5 feet $8\frac{1}{2}$ inches high, fair complexion, blue eyes, dark hair, small wart under right eye.

[C.]

STATEMENT

Of the Place of Nativity and Occupation of the Prisoners, the Counties where sentenced, and the crimes of which they were convicted :

PLACE OF NATIVITY.

Massachusetts,	-	-	-	-	-	-	-	23
New-York,	-	-	-	-	-	-	-	50
Ireland,	-	-	-	-	-	-	-	45
Denmark, -	-	-	-	-	-	-	-	2
South Carolina,	-	-	-	-	-	-	-	4
Brazil,	-	-	-	-	-	-	-	2
Maryland,	-	-	-	-	-	-	-	8
Virginia, -	-	-	-	-	-	-	-	13
France,	-	-	-	-	-	-	-	22
England, -	-	-	-	-	-	-	-	38
Delaware,	-	-	-	-	-	-	-	1
Kentucky,	-	-	-	-	-	-	-	8
Ohio, -	-	-	-	-	-	-	-	19
Germany, -	-	-	-	-	-	-	-	26
California,	-	-	-	-	-	-	-	20
Chili,	-	-	-	-	-	-	-	16
Maine,	-	-	-	-	-	-	-	2
Pennsylvania,	-	-	-	-	-	-	-	26
West Indies, -	-	-	-	-	-	-	-	2
Mexico, -	-	-	-	-	-	-	-	68
Peru, -	-	-	-	-	-	-	-	4
Portugal, -	-	-	-	-	-	-	-	3
Canada,	-	-	-	-	-	-	-	4
Panama,	-	-	-	-	-	-	-	1
Italy, -	-	-	-	-	-	-	-	2
Scotland, -	-	-	-	-	-	-	-	7
District Columbia,	-	-	-	-	-	-	-	3
New-Jersey,	-	-	-	-	-	-	-	4
Missouri,	-	-	-	-	-	-	-	5
Texas,	-	-	-	-	-	-	-	4
Argentine Republic,	-	-	-	-	-	-	-	2
Hungary, -	-	-	-	-	-	-	-	2
Connecticut,	-	-	-	-	-	-	-	3
Illinois, -	-	-	-	-	-	-	-	7
Rhode Island, -	-	-	-	-	-	-	-	2
New-Hampshire,	-	-	-	-	-	-	-	4

Sandwich Islands,	-	-	-	-	-	-	1
Indiana,	-	-	-	-	-	-	4
Alabama,	-	-	-	-	-	-	4
Cuba,	-	-	-	-	-	-	1
China,	-	-	-	-	-	-	13
Louisiana,	-	-	-	-	-	-	4
Vermont,	-	-	-	-	-	-	7
Florida,	-	-	-	-	-	-	1
East Indies,	-	-	-	-	-	-	1
Malta,	-	-	-	-	-	-	2
Sweden,	-	-	-	-	-	-	2
Norway,	-	-	-	-	-	-	1
Nova Scotia,	-	-	-	-	-	-	1
Bavaria,	-	-	-	-	-	-	1
Westphalia,	-	-	-	-	-	-	1
Michigan,	-	-	-	-	-	-	1
Belgium,	-	-	-	-	-	-	1
Australia,	-	-	-	-	-	-	1
Tennessee,	-	-	-	-	-	-	2
Georgia,	-	-	-	-	-	-	1
Newfoundland,	-	-	-	-	-	-	1
North Carolina,	-	-	-	-	-	-	1
Trinidad,	-	-	-	-	-	-	1

OCCUPATION OF THE CONVICTS.

Cabinet Makers,	-	-	-	-	-	-	4
Farmers,	-	-	-	-	-	-	19
Surveyors,	-	-	-	-	-	-	2
Laborers,	-	-	-	-	-	-	118
Sailors,	-	-	-	-	-	-	62
Confectioners,	-	-	-	-	-	-	4
Coopers,	-	-	-	-	-	-	5
Bakers,	-	-	-	-	-	-	11
Coach Smith,	-	-	-	-	-	-	1
Tailors,	-	-	-	-	-	-	9
Gardener,	-	-	-	-	-	-	1
Moulders,	-	-	-	-	-	-	6
Millwrights,	-	-	-	-	-	-	4
Engineers,	-	-	-	-	-	-	3
Saddlers,	-	-	-	-	-	-	5
Marble Cutters,	-	-	-	-	-	-	3
Clerks,	-	-	-	-	-	-	15
Painters,	-	-	-	-	-	-	3
Vine Dresser,	-	-	-	-	-	-	1
Silversmiths,	-	-	-	-	-	-	2
Printers,	-	-	-	-	-	-	7
Sawyer,	-	-	-	-	-	-	1
Fireman,	-	-	-	-	-	-	1
Gunsmith,	-	-	-	-	-	-	1
Carpenters,	-	-	-	-	-	-	21
Vaqueros,	-	-	-	-	-	-	11

Tin Smiths,	-	-	-	-	-	-	-	2
Musicians,	-	-	-	-	-	-	-	4
Iron Roller,	-	-	-	-	-	-	-	1
Rancheros,	-	-	-	-	-	-	-	3
Soldier,	-	-	-	-	-	-	-	1
Shoemakers,	-	-	-	-	-	-	-	10
Lawyers,	-	-	-	-	-	-	-	2
Cooks,	-	-	-	-	-	-	-	17
Jewellers,	-	-	-	-	-	-	-	4
Adobe builder,	-	-	-	-	-	-	-	1
Washmen,	-	-	-	-	-	-	-	4
Weaver,	-	-	-	-	-	-	-	1
Circus rider,	-	-	-	-	-	-	-	1
Loom maker,	-	-	-	-	-	-	-	1
Sail " "	-	-	-	-	-	-	-	2
Cotton-factor,	-	-	-	-	-	-	-	1
Miners,	-	-	-	-	-	-	-	9
Bar keepers,	-	-	-	-	-	-	-	2
Coachman,	-	-	-	-	-	-	-	1
Storekeepers,	-	-	-	-	-	-	-	13
Ox-drivers,	-	-	-	-	-	-	-	4
Hostlers	-	-	-	-	-	-	-	4
Butchers,	-	-	-	-	-	-	-	5
Blacksmiths,	-	-	-	-	-	-	-	10
Tobacconist,	-	-	-	-	-	-	-	1
Turners,	-	-	-	-	-	-	-	2
Painter,	-	-	-	-	-	-	-	1
Farriers,	-	-	-	-	-	-	-	2
Barbers,	-	-	-	-	-	-	-	4
Stewards,	-	-	-	-	-	-	-	12
Chandler,	-	-	-	-	-	-	-	1
Packers,	-	-	-	-	-	-	-	2
Stevedores,	-	-	-	-	-	-	-	2
Carbonero,	-	-	-	-	-	-	-	1
Boiler maker,	-	-	-	-	-	-	-	1
Tavern keeper,	-	-	-	-	-	-	-	1
Coppersmith,	-	-	-	-	-	-	-	1
Physician,	-	-	-	-	-	-	-	1
Plasterer,	-	-	-	-	-	-	-	1
Plumber,	-	-	-	-	-	-	-	1
Bricklayer,	-	-	-	-	-	-	-	1
Piano forte maker,	-	-	-	-	-	-	-	1
Trainer of Horses,	-	-	-	-	-	-	-	1
Pedler,	-	-	-	-	-	-	-	1
Gamblers,	-	-	-	-	-	-	-	2
Indians,	-	-	-	-	-	-	-	4
Caulker,	-	-	-	-	-	-	-	1
Porter,	-	-	-	-	-	-	-	1
Stone Mason,	-	-	-	-	-	-	-	1
Cigar makers,	-	-	-	-	-	-	-	3
Machinist,	-	-	-	-	-	-	-	1
Ship Carpenters,	-	-	-	-	-	-	-	3
Fisherman,	-	-	-	-	-	-	-	1
Harness makers,	-	-	-	-	-	-	-	2

[B.]

AGES OF CONVICTS.

55 under 20 years.
 177 between 20 and 25.
 107 between 25 and 30.
 111 between 30 and 40.
 23 between 40 and 50.
 6 between 50 and 60.
 1 between 60 and 70.
 74 not reported.
 554 Total.

Whole No. of	No. of	prisoners	admitted,	-	-	-	-	-	-	-	554
"	"	"	"	discharged,	-	-	-	-	-	-	138
"	"	"	"	escaped,	-	-	-	-	-	-	75
"	"	"	"	pardoned,	-	-	-	-	-	-	38
"	"	"	"	died,	-	-	-	-	-	-	1
"	"	"	"	killed,	-	-	-	-	-	-	8
"	"	"	"	remaining on 10th January, 1855,	-	-	-	-	-	-	292
"	"	"	"	unaccounted for,	-	-	-	-	-	-	2

Males, - - - - - 550

Females, - - - - - 4

554

COUNTIES WHERE SENTENCED.

Alameda,	-	-	-	-	-	-	-	-	-	-	2
Amador,	-	-	-	-	-	-	-	-	-	-	2
Butte,	-	-	-	-	-	-	-	-	-	-	6
Colusi,	-	-	-	-	-	-	-	-	-	-	2
Calaveras,	-	-	-	-	-	-	-	-	-	-	28
Contra Costa,	-	-	-	-	-	-	-	-	-	-	10
El Dorado,	-	-	-	-	-	-	-	-	-	-	34
Humboldt,	-	-	-	-	-	-	-	-	-	-	00
Klamath,	-	-	-	-	-	-	-	-	-	-	00
Los Angeles,	-	-	-	-	-	-	-	-	-	-	9
Marin,	-	-	-	-	-	-	-	-	-	-	4
Mariposa,	-	-	-	-	-	-	-	-	-	-	36
Monterey,	-	-	-	-	-	-	-	-	-	-	5
Napa,	-	-	-	-	-	-	-	-	-	-	1
Nevada,	-	-	-	-	-	-	-	-	-	-	10
Placer,	-	-	-	-	-	-	-	-	-	-	20
Sacramento,	-	-	-	-	-	-	-	-	-	-	60
San Diego,	-	-	-	-	-	-	-	-	-	-	2
San Francisco,	-	-	-	-	-	-	-	-	-	-	162
San Joaquin,	-	-	-	-	-	-	-	-	-	-	36
San Luis Obispo,	-	-	-	-	-	-	-	-	-	-	2
Santa Barbara,	-	-	-	-	-	-	-	-	-	-	1
Santa Clara,	-	-	-	-	-	-	-	-	-	-	10
Shasta,	-	-	-	-	-	-	-	-	-	-	7
Sierra,	-	-	-	-	-	-	-	-	-	-	5
Siskiyou,	-	-	-	-	-	-	-	-	-	-	8
Solano,	-	-	-	-	-	-	-	-	-	-	4
Sonoma,	-	-	-	-	-	-	-	-	-	-	1
Sutter,	-	-	-	-	-	-	-	-	-	-	2
Trinity,	-	-	-	-	-	-	-	-	-	-	6
Tulare,	-	-	-	-	-	-	-	-	-	-	1
Tnolunne,	-	-	-	-	-	-	-	-	-	-	33
Yuba,	-	-	-	-	-	-	-	-	-	-	24

CRIMES UPON WHICH CONVICTED.

Burglary,	-	-	-	-	-	-	-	-	-	20
Grand larceny,	-	-	-	-	-	-	-	-	-	381
Manslaughter,	-	-	-	-	-	-	-	-	-	18
Rape,	-	-	-	-	-	-	-	-	-	9
Sodomy,	-	-	-	-	-	-	-	-	-	1
Perjury,	-	-	-	-	-	-	-	-	-	4
Mayhem,	-	-	-	-	-	-	-	-	-	4
Assault with intent to kill,	-	-	-	-	-	-	-	-	-	32

Highway robbery,	-	-	-	-	-	-	-	24
Murder,	-	-	-	-	-	-	-	11
Assisting prisoners to escape,	-	-	-	-	-	-	-	4
Assault with deadly weapons,	-	-	-	-	-	-	-	12
Arson,	-	-	-	-	-	-	-	1
Receiving stolen goods	-	-	-	-	-	-	-	3
Assault and battery	-	-	-	-	-	-	-	3

[D.]

LIST OF EMPLOYEES AT STATE PRISON, NOVEMBER 26, 1854.

A. H. PILLOW, Superintendent.
 JOHN M. GRAY, Assistant Superintendent.
 ASA ESTES, Captain of the Guard.
 B. F. PULLEN, Assistant Captain.
 JOSEPH R. GRAY, Assistant Captain.
 ALEXANDER READ, Commissary.

Charles P. Batchelder,	Guard.
John M. Gray,	"
L. D. Jones,	"
Charles W. Robinson,	"
Timothy Rogers,	"
Sartial Root,	"
Stephen Welsh,	"
Jennings Estill,	"
Samuel Gillespie,	"
Arthur Andrews,	"
George W. Woods,	"
J. M. Smith,	"
William A. Hobbs,	"
John McKenzie,	"
John Fleming,	"
William Snyder,	"
Hiram Cation,	"
M. M. Kenney,	"
H. Bristol,	"
George W. Wells,	"
E. P. Fisher,	"
T. F. Hardy,	"
Aeneas Dewar,	"
Thomas Simpson,	"

[E.]

OFFICE OF THE BOARD OF STATE PRISON INSPECTORS, }
 Sacramento, December, 1854. }

Sir:—

You are respectfully requested to report, by mail, to the undersigned, a correct statement of the criminal records of your county since its organization.

You will please to state—

1. Number of indictments tried in your county.
2. Number of convictions and nature of offences.
3. Kind and degree of punishment.
4. Number of convictions for felony, names of convicts, date of sentence, term of imprisonment, if any, and date of commitment in each case.
5. Number of capital executions.
6. Number of escapes from the County Jail, and names of convicts sentenced to imprisonment in the State Prison escaped from the County Jail, or from the Sheriff whilst removing them to the State Prison, or released on habeas corpus, and the date of their escape or release.
7. The condition of the County Jail, and such other information touching the subject matter as may occur to you and as it may be convenient to give.

Very respectfully, yours,

H. W. CARPENTIER,
 J. MILLER,
 R. N. SNOWDEN,

State Prison Inspectors.

To ———, Esq.,
 County Clerk of ——— county.

[F.]

THE STATE PRISON.

EXECUTIVE DEPARTMENT,
SACRAMENTO, Oct. 20th, 1854. }MESSRS. MILLER, CARPENTIER AND SNOWDEN,
State Prison Inspectors :

GENTLEMEN :

Having learned from various reliable sources that quite a number of escapes have recently occurred from the State Prison, which, to some extent is in your charge, I deem it my duty respectfully to invite your attention to the section of law regulating your duties, which reads as follows :

"Sec. 7. The Inspectors shall make all rules and regulations which they may deem proper for the discipline of the prison, and not inconsistent with law, for the *safe keeping*, health and cleanliness of the prisoners, copies of which they shall cause to be posted up in conspicuous parts of the prison and prison grounds. On or before the first day of February of each year, the said Inspectors shall make a report in writing to the Legislature, which report shall contain an account of the condition and management of the prison, and a full exhibition of the government and discipline thereof."

It is true that under the above section of law you are required to report to the Legislature on or before the first day of February of each year, but the peculiar state of things now existing, it is hoped, will induce you at once to give the matter careful attention, and report the facts of the case to the Executive at as early a day as possible, and, at the time named in the law, make another report to the Legislature.

The escapes which have recently occurred render it necessary, in justice to all concerned, as well as to restore public confidence, that a rigid examination should at once be had as to the condition of the building and the conduct of those having charge of the prisoners.

Until such an examination shall have been had, and the true state of the case made known, erroneous impressions, prejudicial to the character of all connected, either directly or indirectly, with the management of the prison, will gain currency and credence.

These escapes, permit me here to remark, give great force to allegations, daily and publicly made, that the prison building is insecure, and that its management is not such as to fully accomplish the object of its erection, in the prevention and punishment of crime.

The number and frequency of these escapes will greatly embolden the vicious, and unless carefully guarded against hereafter, will have a tendency to increase

crime. It is, therefore, deemed highly important that a thorough examination should be made, and all defects, whether in the building or the discipline of the prison, remedied immediately, so as to render escape hereafter impossible.

As the lessee and those employed by him in guarding the prisoners, are deeply interested in having the true state of the case made known, I desire you to obtain from them information in relation to the building, as well as to the their management of the prisoners, whilst employed outside of the prison building.

I also desire you to report fully the whole number received by the lessee, and their respective names ; the number and names of those released by expiration of time ; the number and names of those pardoned by the Executive ; the number and names of those who have escaped ; the number and names of those retaken ; the number and names of those who have died, and also the number and names of those now in prison, the date of sentence of each, and the date of expiration of time.

If the lessee, or those in his employ as keepers, desire to introduce testimony explanatory of the causes of the escapes effected, I would suggest the propriety of affording them the opportunity, the great and only object being to ascertain the facts, and guard against the recurrence of similar escapes in the future.

Section 6th of the 5th Article in the Constitution authorizes the Governor at any time to require information in writing from public officers, upon any subject relating to the duties of their respective offices. To this section, and also the 7th section of the same article, which declares that he, (the Governor,) "shall see that the laws are faithfully executed," your attention is respectfully invited, not that I entertain doubts as to your willingness to respond to this communication, but merely to satisfy yourselves and others that my action in the premises is fully authorized.

I have the honor to be,

Very respectfully,

Your ob't. servant,

JOHN BIGLER.

Document No. 14.

IN ASSEMBLY.]

[SESSION 1855.]

REPORT

ON THE

G E O L O G Y

OF THE

COAST MOUNTAINS;

EMBRACING THEIR

Agricultural Resources and Mineral Productions.

ALSO, PORTIONS OF THE

MIDDLE AND NORTHERN MINING DISTRICTS.



BY DR. JOHN B. TRASK.

[B. B. REDDING, STATE PRINTER.]

To His Excellency, JOHN BIGLER,

Governor of the State of California :

DEAR SIR :

Pursuant to an Act passed in May last by the Senate and Assembly of this State, authorizing a farther examination of the unexplored portions of the State, I have the honor to submit the following Report and accompanying diagrams.

Yours, &c.

JOHN B. TRASK.

EXECUTIVE DEPARTMENT, }
SACRAMENTO, MARCH 8th, 1855. }

To the Senate and Assembly of the State of California :

I have the honor herewith to transmit to the Senate, a Report made by the State Geologist, Dr. John B. Trask, in compliance with an Act passed May 15th, 1854, entitled "An Act to authorize and enable Dr. John B. Trask to complete his geological examination of parts of the State of California.

The copy herewith transmitted, being the only one furnished me, it becomes my duty, respectfully, to request the Senate to inform the Assembly that the same has been received and is in possession of the Senate.

JOHN BIGLER.

PREFACE.

The tour of 1854 was commenced on the 13th day of June, and the first month was spent in the counties of Yuba, the lower portion of Nevada, Placer and Sacramento, for the purpose of completing the examination of those sections which were left unfinished the previous season.

In the month of July, the southern portion of the tour was entered upon, and carried through portions of the counties of Monterey, Luis Obispo, Santa Barbara, and Los Angeles, to the northern borders of the counties of San Bernardino and San Diego. This occupied the time up to the 12th October, a period of three months. My operations were then transferred to the agricultural districts west of the Sacramento River, through the counties of Yolo, Sutter, Butte, Shasta, Trinity, and the eastern part of Klamath. The time occupied in these sections was two months. At this time I returned to the mining counties for the purpose of collecting such statistics as the short period of time allowed.

The whole time occupied in the mines proper, was three weeks; the first part of the season being spent in the agricultural districts of those counties, almost exclusively.

The tour occupied a period of six months and twenty-two days of active labor in the field.



REPORT.

This report will embrace the investigation of the Coast Mountains, commencing near the point of termination of the tour conducted during the summer of 1853, and ending at the northern boundaries of the Counties of San Bernadino and San Diego during the summer and early part of the autumn of 1854. The tour of 1853 in the Coast Mountains terminated a few miles south of the river Nacismiento, in the County of Monterey.

PHYSICAL GEOGRAPHY OF THE COAST MOUNTAINS.

In the report on the "Geology of parts of the Coast Mountains," presented and published by the fifth session of the Legislature, it will be remembered that this chain of mountains laid down as forming the coast line of this State, extended from the 42nd parallel to the southern boundary of the same. This presumption was founded on the erroneous positions of the southern terminus of this chain, as laid down on the older, and also the more recent maps of the State, conjoined with the misapprehension of many individuals who reside on different points of the coast line, and who have blended the base of another and a distinct mountain chain with those belonging to the coast chain proper; these, it will be seen, have no other connection with the latter, other than to traverse its line of trend at nearly right angles to its course.

From the Nacismiento River the coast line of mountains continue on a line, which is nearly direct with the trend of that portion of the chain which extends from Point Pinos to the river above named, and which forms one of the southern boundaries of the County of Monterey; the line being south nearly fifty degrees east to their northern termini or junction with the San Bernadino chain. The latter mountains have their western termination in the vicinity of Points Aguilla and Conception; beyond this to the south, the mountains which front the ocean are derived from this chain or its spurs, which are often projected nearly to the water-line of the sea.

After crossing the Nacismiento River, the coast chain becomes exceedingly rugged and irregular, losing in a great measure that parallelism of ridges which they have heretofore maintained in the more northern districts, from this cause often they become almost absolutely impassable, at other points than those used for public highways; in many cañons south and east of their junction, water is

scarcely to be found, and which, as a consequence, renders their study a difficult and laborious task.

Between the middle and eastern ridges of this part of the chain and at a distance of about thirty miles south of the intersection of the Monte Diablo range there are some valley districts occupied as ranches for grazing purposes, but the major part of the entire district present but few inducements that invite it to a permanent and extensive population.

The general characteristics of the mountains west of the central portion of the chain, are repulsive in their character, and ill adapted to any other than those purposes to which this part of the chain is applied, viz: that of affording pasturage for wild cattle and the rearing of sheep.

On the eastern side of the central ridges, the intervening country lying between them partakes much more of the character which is found to prevail in many of the more northern parts of the line; somewhat extended valley sections, occurring at long intervals, and again breaking up into rough and jagged peaks, with here and there small plats, with detached portions of wild herds that roam these hills almost unknown and unowned.

The ascent to the eastern ridges is abrupt, and the eastern declivities are much of the same character, until the plains of the Tulare lying at their base is approached, when the foot-hills present the same general characteristics as those on the western slope of the Monte Diablo range towards the southern part of the Salinas. There is not that gradual graduation from mountain to plain, which is incident to the descent from the Sierra Nevada. This will be found a prevailing character throughout this portion, and also many other parts of the coast mountains.

The western slope of the mountains towards the sea, from Point Lobos in the County of Monterey, through the entire length of the County of Luis Obispo, is extremely rugged and precipitous, forming a heavy and bold shore line as far south as Point Sal, when the coast begins to assume a much smoother and agreeable aspect. This, however, is but the outline appearance of the plats as they descend from the base of the hills in a gradual slope; for on reaching the water-line, the faces of these plateaus form perpendicular escarpments of nearly one hundred feet in height.

From the facts at present in our possession relative to those parts of these mountains lying south of the city of San Francisco, we are now able to form an opinion that will approximate correctness as regards their geographical position and relations, and it would seem but proper that they should hold that place upon our maps which they respectively hold in nature.

With this view before us, the following proposition will be submitted for the classifying the mountain ranges of this part of the State:

For all that portion of the coast mountains south of the city of San Francisco, and following the line of the coast to the southern part of the County of San Luis Obispo, the same to be denominated *Coast Mountains* and ceasing at their junction with the *San Bernardino Mountains* which enter upon the coast line near this point. The local name of *Santa Cruz Range* to be retained and to comprise the entire group of mountains which extend from the Pajaro River on the south, and terminating at the Presidio Point near San Francisco.

That range of mountains commencing on the south shores of the Bay San Pablo, Straits Carquines and Bay of Suisun, and forming the west boundaries of the Valleys of San Joaquin and Tulare—the eastern boundary of the Salinas and Santa Clara Valleys, with the east coast of the Bay of San Francisco, to be denominated the Monte Diablo Range. (This latter range having its southern terminus due west of the central portion of the large body of water known as the Great Tulare Lake.)

That portion of the Monte Diablo Range, extending from the head of the

Cañada San Benito in the County of Monterey, to the Pajaros River on the north, and forming the middle eastern boundary of the Salinas Valley, and western boundary of the Valley of San Juan, to be denominated the *Gabilan Spur*.

The above arrangement differs but little from that proposed in my report of last year, (Doc. 9, Assembly, pages 12, 13, 18, 19, 21, 23,) and becomes necessary in order to form anything approaching a comprehensive idea of this almost unknown portion of the State. The principal and almost only difference in this arrangement, is in fixing a point at which the Coast Mountains appear to have their termination, a point hitherto unsettled, and one that has caused more confusion, perhaps, in relation to the geography of the State than any subject hitherto engaging the attention of travelers and citizens. The true position of these mountains and their relations with other chains must, at no distant day, command a much greater amount of attention from the people of this State, and the Atlantic States also, than has as yet been bestowed upon them, for it will be found that, in selecting a route for the national railroad, the crossing of this, or an adjacent chain will be necessary, and the principle involved in the great question upon this point will simply be, the best means to be adopted that will avoid the transit of two chains in place of one.

A correct understanding of the situation of these ridges, will explain many of the phenomena constantly occurring in these inland districts, and it affords us the only means of investigating those causes of sterility that are found to accompany and prove a constant attendant of extensive areas enclosed within, as extending to the east of the high ridges composing the chain.

Their study then, becomes a matter not of scientific interest alone, but engages our attention in a practical, and economic point of view; it is fraught with pecuniary public interest, and unless fully understood must result in pecuniary loss to all parties directly interested.

The altitude of these mountains is such that they have the effect to absorb much of the aqueous matter carried from the ocean through the various gaps that occur in the coast-line proper, and when the higher hills fail to accomplish this, the increase of temperature, consequent from the relative position which the mountains hold to the plain lands that may be situated among the immediate ridges, or beyond them to the east, is such that it has the effect to dissipate whatever aqueous matter that might have remained.

This state of the meteorological condition of the atmosphere is admirably illustrated on the northern end of the Salinas and the southern end of the valley Santa Clara. These two districts have the appearance of being subject to a constant drought, so far as external and surface features are concerned; but a closer examination of all the attendant circumstances that are to be met with in this section of country will convince the observer that an erroneous opinion upon this subject may easily be formed, when mere external character alone is observed during the daytime.

During the after part of the day in the summer season, there is usually a dense fog setting in through the opening made by the Bay of Monterey, which sweeps across the Gabilan Spur over on to the south part of the Santa Clara and the valley of San Juan; and although this fog is often sufficiently dense to obscure the view for any considerable distance, while it rests upon the northern portion of the Salinas Plains, and west of the Gabilan, still it is not apparent often in the atmosphere four miles east of that ridge. The atmosphere is perfectly transparent, nor would the traveler suppose for one moment that any material change in the condition of the air had taken place, or that it was in any way different from that through which he may have been traveling during the entire day.

It is only at evening that the change is perceptible, for as the temperature decreases after nightfall, a heavy mist from the condensation of the moisture held in solution by high temperature takes place, which is often equivalent to a light rain.

On the middle portions of the Salinas, much the same features are observed, and it is no uncommon circumstance to be in a cloud of mist at one point, and at another on the same plain not three miles the atmosphere as clear as nature can produce it ; it is instructive as well as interesting to stand in a commanding position and witness the solution of the cloud of vapour as it passes a given and well defined line.

The same features are prevalent on the valley sections lying east of the Mount Diablo Range, and the effects of condensed moisture are very apparent even in the western foothills of these districts. In this fact lies one of the secrets of the productive capacities of the soils of many of these interior sections, and were it not for this peculiarity of our atmosphere a large area of our inland country would remain a perfect Sahara, suited neither for man or beast.

On some parts of the valley sections there have been observations conducted through a short period of the last year, for the purpose of eliciting some information relative to the hygrometric condition of the atmosphere many miles from the sea. These observations if continued for one or two years hence, will furnish us valuable and interesting information relative to the amount of atmospheric moisture of the interior of the State, from which we shall be able to deduce some conclusions of the productive capabilities of many parts of the valleys that are now neglected, under the prevailing idea that water sufficient for the propagation of grains does not exist in these sections ; from what information upon this subject, is in a tangible form, I am led to the conclusion that the atmosphere of the central portions of the Plains of San Joaquin and Sacramento, is nearly or quite saturated during seven months of the year. The prevalence of southerly winds on these plains is always marked by an increase in the height of the dew-point, and they are found by tables, kept during the year 1854, to constitute nearly sixty-nine per cent. of the winds of the summer season.

Beyond the junction of the coast mountains, the San Bernardino Chain makes its inception, and forms the coast-line for a considerable distance to the south. It is at this point where one of the great errors relating to the physical geography of this part of the State has been committed, viz : *that of blending the western terminus of this chain with the coast-line of mountains proper.* From Point Aguilla the coast begins to assume a much more easterly direction, than at any other point north of this locality (except perhaps in the immediate vicinity of Cape Mendocino,) and on passing Point Conception it pursues nearly a due east trend until arriving at Point Desselata to the south of the Mission San Juan Capistrano, when it again assumes its easterly course after rounding that point.

At a short distance north of Point Aguilla the base of the San Bernardino chain fronts the coast, at times miles distant, at others approaching the water-line ; after passing the south-eastern point of the Santa Barbara channel the chain is seen stretching away in the distance nearly due east towards the waters of the Colorado, and across the Jornada del Muerto dividing this desert into two unequal parts.

On approaching San Pedro in the county of Los Angeles we find that the nearest part of this chain is not less than forty miles distant from the coast, and to the northeast of this place the distance is much greater. At the distance of seventy miles in the same direction may be seen the high peaks of San Bernardino, and beyond it again, that of San Jacinto ; farther to the west are mountains near the Cahon Pass, while to the left of this line of view and at nearly the same distance are the rugged peaks of the Sierra San Jose and San Gabriel.

Farther to the north and at the distance of fifty miles are the mountains of San Fernando, the whole of which are but the more prominent peaks of this transverse chain. On the northern base of these mountains flows the River Mohave, through the central and northern parts of the great desert.

Within the district above named, and on the south base of these mountains lies the great plain of Los Angeles, which from the northern to its extreme southern lines cannot be less than one hundred and eighty miles in length, with an average breadth of forty miles, comprising within its limits an area of arable lands equal to three-fourths of the valley of the Sacramento, or about one half that of the Sacramento and San Joaquin combined.

The local positions of the mountains bordering the western and southern portion of the State must it will be seen, modify to a great extent the productive capabilities of the adjoining districts, and no better illustration of this fact is necessary than an examination of the flat lands lying contiguous to their base ; in the case before us the lands at the southern base of the San Bernardino chain, though coarse and harsh in texture, are at the same time highly fertile, while that found upon the northern base, though derived from the same sources, is wholly incapable of vegetable production, or at least to but a very limited degree. From this then it will be seen, that the climatal conditions necessary for a healthful and abundant vegetation are influenced more by position and altitude rather than from any defects in the soil itself.

Hence it is, that we find the Santa Clara and Salinas valleys are more uniformly productive, than the portions of the San Joaquin lying immediately to the east of the former, while at the same time the latter is more productive than the section to the south known as *Desert*, but which under favorable circumstances has proved inferior to none of the best lands in any part of this State ; this is a plain contradiction to the general idea prevailing, and promulgated from high sources, that this portion of the State is valueless, and if individuals see proper to publish conclusions made up from hasty examinations, and unfavorable predilections, they must not expect others to follow in their trail, and pervert truth to save individual responsibility.

The only requisition necessary to make this *desert* a productive field, suited to the growth of our southern staples, is the introduction of water in sufficient quantities for irrigation. This done, no district of this State will present greater capacities.

The position and course of the San Bernardino chain, with its extent and altitude forms a striking feature in the geography of the State, and the climatal features incident to the effects produced by position and altitude, are equally distinctive ; the products arising from these peculiarities, are equally marked in all their forms, while its zoology partakes of the general mutation which supervenes to as great an extent as is manifest in the peculiarities of the climate ; not less characterized are the native inhabitants, their pursuits and interests ; there seems but little to unite them with other parts of the State, as each and every natural product, methods of living, and political feelings, are as distinct as the almost impassable mountain barrier that separates them from the northern portions of the State.

GEOLOGY OF THE COAST MOUNTAINS.

The geology of that portion of the Coast Mountains south of the River Nacimientos, differs, but little from that observed a short distance south of that line.

The talcose rocks and their derivations extend south of the river for the distance of about thirty miles, forming a narrow belt, and flanked on the south-

west by the trap rocks, and on the northeast, by coarse granites and sienites, at times composed almost exclusively of massive hornblende, and at others considerable quantities of the latter is found imbedded among the other primitive rocks. The primitive group of this section of the country, exhibits itself in a belt of about one and a half miles in breadth, and is most evidently contemporaneous with the rocks forming the Santa Cruz mountains, and that part of the coastline, extending from Point Pinos south to the northern line of the county of San Luis Obispo.

Among the magnesian rocks of this district there were seen many small specimens of the chromic iron, but none in such massive quantities as that noticed in the Gabilan Spur, in the vicinity of the Sierra Panoches, near the southern junction of this spur, with the Monte Diablo range. The talcose varieties of the rocks of these mountains, as well also as the sienites, and granites, have been intruded and dislocated by the quartz, but no veins of any considerable magnitude were met with, and there was but little indication of any auriferous deposits within them.

On the head of a small creek which is probably a tributary of one of the southern branches of the Nacismiento, a heavy bed of chlorite slate makes its appearance, having a strike east and west and dipping to the south with a high angle. This bed is cut through by a dike of trap rock having a dark grey color, and immediately adjoining the latter is a small vein of quartz some nine inches diameter, holding the same course and having a westerly dip. This vein contains galena, and sulphuret of molybdenum, holding the same relations of mineral disposition, that are found to exist in the vicinity of the Pittsburg Mine in the county of Nevada.

I was unable to discover any valuable metallic associations in any of the rocks belonging to this group, and am forced as a consequence to say, that in this instance, the metallic associations hitherto found to be unexceptionable in all other parts of the State, viz: of gold in quartzose and talcose rocks, when found adjoining each other, does not hold good in this instance, it is one of the very few exceptions apparently to that general rule.

On the west flank of the eastern ridges, and at the distance of about twenty-five miles from the rancho Santa Maria, there are beds of a crystalline or primary limestone, similar in all its general characteristics with that found in the vicinity of Santa Cruz; a large proportion of this calcareous rock, possesses a high crystalline character, and is unsuited for other purposes than the manufacture of lime. On a small valley to the west of this bed and at the distance of about half a mile west, a heavy deposit of calcareous travertine is found, but like the toro beds in the county of Monterey, the springs that rise to the deposit, seem no longer to exist; this bed covered an area of nearly one-fourth of a mile, and having a depth of nearly seven feet.

The geological position of these limestones is among the primitive rocks like its equivalents among the more northern parts of the same mountain chain, and is the same in age as that group extending through three hundred miles of the Sierra Nevada.

From the valley above alluded to, this rock extends south in detached groups or beds for a distance of about thirty miles, and will be found on the west flank of this line of ridges to a point nearly due east of the head waters of the Rio Santa Clara in the county of Santa Barbara. A similar group of these rocks is also met with near Lake Elizabeth, near the main waggon road from Santa Barbara to the Cañada de los Ubas and the Tejon Reserve.

In the cañon of the rancho San Francisco the limestone is frequently met with on the sides of the hills to the left of the road, but at this locality it cannot be considered *in situ*.

The rocks have been carefully examined for organic remains, but in no instance

have I as yet been able to detect the slightest vestige of organic life, and from those who have succeeded me in the examination of these rocks, I learn that they have met with no better success.

It is not uncommon to find impressions of marine plants at least, in rocks of this character, but even these are absent in the group under consideration.

A distinguishing feature in these limestones, is the small proportion in mass which they bear to the other primitive rocks with which they are associated and invested, and when found in contact, (as was the case in two instances) with the more recent igneous intrusions, their structure was found materially changed.— They were more often found imbedded in the granitic rocks than in any other position ; but little of the entire line of beds possessed a fine crystalline texture, and this even was usually much discolored by iron.

The limestone rocks of these mountains are well represented on the west flank of the Sierra Nevada, their equivalents may be found in various mining localities, as at the Marble Springs, Sonora, Ringgold, Murderer's Bar, Carson River Falls, also as far north as the county of Plumas, it passes through all the intermediate counties lying between Mariposa on the south and Plumas on the north. In some of the above localities it has been found to answer the purpose of a good building material, this however is merely local, but its principal use in this State is the manufacture of lime.

The granitic series probably underlies the entire central and a large portion of the eastern line of ridges, although it does not make its appearance upon the surface to that extent which this supposition would seem to imply. I am satisfied of this fact however, from the examination of the debris found in and about the small streams, which are found traversing some of the deep cañons of these mountains ; in all the sedimentary beds, of sand and drift thus found, the granitic constituents of the same formed by far the greater proportion, and it may be said constituted their entire mass. How far this formation may extend westward, or towards the coast, and north of the San Bernardino is yet quite uncertain, as I am not aware of any outcrop of the granite north of this chain and south of San Simeon.

TERTIARY ROCKS OF THE COAST MOUNTAINS.

The tertiary rocks of this part of the coast mountains, are interesting in a scientific point of view, in directing our attention to those periods of the earlier history of this portion of the western continent, when it was submerged beneath the waters of the ocean. The prevalence of the tertiary rocks in these mountains fully corroborates all that has heretofore been said respecting almost the entire range of country stretching from the base of the eastern Sierras to the present eastern confines of the sea. On the summits and sides of the hills, we find the fossiliferous rocks of this part of the country, maintaining the same relative positions which they occupy in other and distant parts of the State; the equivalents of the Monte Diablo groups are found as well marked as at any part of that particular range, while at the same time we find in this connection other beds of widely different forms, and belonging to different periods of the same era, and which are found again hundreds of miles distant in other directions.

Sufficient is now known respecting the distribution of the vertebrate and invertebrate animals inhabiting the country during these remote ages, that we are able to frame, at least, an approximate opinion of the relative periods at which the different classes of animals existed, whose remains have been found within the limits of this State.

With those relics of the vertebrate animals now in our possession, from the counties of San Luis Obispo, Santa Barbara and Los Angeles, and what has been brought to light in the Counties of Tuolumne, Placer and Siskiyou, it appears evident that not less than eight species of these gigantic animals formerly existed upon these shores. The relative situation of these remains in different parts of the State precludes the idea that they could have existed during the same identical period, therefore, it will probably be necessary to construct a different arrangement than that at present acknowledged, for the date at which allied genera and species in other parts of the world existed, compared to those of California.

We are warranted in this assumption from the appearance and character of the marine fossils adjacent to the district from which many of these bones have been exhumed, and as in the case of those remains from the northern districts of the State, their association with relics of the works of art would certainly appear to bring them down to a much later period than that usually assigned; but of this subject we shall treat again at a future day, when farther, but perhaps not more decisive evidence is in our possession.

In the mountainous districts of the Counties of San Luis Obispo and Santa Barbara, the predominating fossiliferous rocks are miocenes holding an age contemporaneous with the Monte Diablo groups. Among the higher hills of these Counties, the Miocene rocks are in many instances largely developed; this will be found to be the case in an eminent degree in the La Questa San Marcos, a pass in the mountains, and on one of the trails from the town of Santa Barbara into the Valley of San Inez.

The cañon of this hill cuts through heavy beds of sandstone, which is loaded with fossils of marine origin, among which *Pectinea*, *Cardia* and *Ostrea* are in greatest abundance, while it is prolific in univalves and spiral shells, with other additional bivalves. Immediately east of the Mission of Santa Barbara among the lower hills, there is an extensive bed of *Ostrea*, the cementing medium being made up of lime with an admixture of a small quantity of sand.

In passing through the Valley of San Inez and entering the coast mountains in the County of Luis Obispo, the same fossiliferous rocks occur for forty miles, and in a large valley lying in the centre of these mountains a portion of the rib of a large whale was found by Col. Norris, of the U. S. Land Survey, at an altitude of nearly twenty-five hundred feet above the level of the sea, and about thirty-six miles into the interior. It is not uncommon to find the remains of these large cetaceans among the mountains forming the coast, and some fragments of similar bones have also been brought from the borders of the Tulare Valley. From careful examinations of those bones which have been brought into situations where they have been made the subject of careful investigation, it is believed that the larger proportion of all that have yet been found, are referable to present existing genera and species, though from fragments alone, it would be difficult to individualize at the present time.

The fossiliferous sandstones of the mountains possess many of the lithological characteristics which are found among the rocks of the same age in the more northern parts of the State, and belonging to the same chain, and when differing from this rule, the cause will be found entirely local, and of limited extent. Any diversity in species that may be found imbedded in these rocks, will be more attributable to local climatal influences rather than to any difference in relative age which the rocks of the southern mountains may hold to those of the northern districts.

In the County of San Luis Obispo, at the distance of about fifteen miles from the coast, and from thence into the interior, both east and south, are to be found beds containing an uncommonly large *Gryphæ* at times weighing twenty

pounds; it is far superior in size to those found in the vicinity of Livermore's ranch, in the county of Alameda, and like them, they at times have been found to contain the impress of the animal that formerly inhabited the shell; it is not improbable that the age at which both species existed was contemporaneous, the difference in species, size and form, being attributable solely to local climatal effects. Such is the fact at the present time with the Mollusca inhabiting our coast, within the parallels of latitude inclusive, and we have no reason that such was not the case in relation to the fossiliferous groups.

The large bivalves form an interesting feature in the paleontology of our State, and undoubtedly are of different species from many already known in other parts of the world; but their peculiarities must be deferred until a future period.

The area over which the tertiary rocks are distributed, leaves but little room for doubt of the former submergence of the entire district; and the different periods of this era points us to so many successive elevations, which were probably gradual in their character. If it should be questioned that this was not the fact, during the earlier age of these deposits, we would simply refer the observer to the terraced outlines of the fossiliferous groups from the present shore of the ocean to the summit of the first and western ridges of the chain. These elevatory effects have undoubtedly been continued through the subsequent periods of this epoch, and will be considered more in detail when the coast line of the southern part of the State is under consideration.

PRIMITIVE ROCKS OF THE COAST MOUNTAINS.

The primitive rocks of the Coast Mountains consist of the granitic series, in which are included the the Sienites, Micascist, Granite, Gneiss, Porphyries, and the older Greenstone, including also the serpentine rocks. On these rest the greater part of the older sedimentary rocks, and some few of the Pliocene period. Their general distribution has been noticed in the preceding pages of this report, and it remains now only to mention more particularly the points at which they may best be observed, with any peculiarities that may attend them.

The granite forms the summit of a high ridge to the east of the San Inez Valley; from about half the southern centre of the valley, and on the flanks of the mountain, the serpentine rocks creep out and extend in a southwest direction for about two miles, crossing the ridge at this point and forming its summit for about half a mile. The entire line of this summit is bare and jagged, and the white appearance of the granite at a distance gives it the aspect of a large bed of quartz; a closer approach, however, develops its true character. I have seen but one other bed of the granite rocks of this State which presents the same peculiar features, and those are situated about half way between the town of Jackson and that of Volcano in the County of Amador. In the middle portions of the comb of this ridge is a large bed of Micascist, containing imperfect specimens of garnets which closely resembles those found on the Carmello Creek, in the County of Monterey.

On the sides of these ridges and fronting the southwest, the sedimentary rocks are found in detached masses, with imbedded fossils which are usually very imperfect, and therefore, of little value; their distinguishing features fixing their alliance to the Monte Diablo group. They maintain a high angle of inclination in most instances, and have suffered much disturbance from the subsequent intrusion of later igneous rocks through and among the primitive series on which they rest; many evidences of the intrusions are manifest throughout this entire range, but as a general fact, they appear much more local in their character

than in many parts of the more northern equivalents of this part of the chain, or more particularly such as may be found in the Santa Cruz and Monte Diablo ranges.

The Serpentine rocks of the country included in the southern branches of the Nacismiento River support in several localities heavy beds of the Miocene sandstones, the fossils of which agree in all particulars with those noted as occurring in the same group of rocks throughout this part of the State. On the northern extremity of the talcose series, a vein of quartz has cut through the inferior rocks, and also through the sedimentary group, resting upon them; among the sandstones it has sent out several lateral veins, and the points of contact exhibit very marked changes in structure, equally distinguishable with any of those cases noticed in former reports, where the contact of lavas were observed on an extensive scale.

Nor are the changes of structure confined to the intrusion of the latter veins alone, for in following out the igneous intrusions, it was found that considerable dikes of the trapean rocks were manifest, the effects of which were apparent both by change of position and structure, the latter to an eminent degree. Another illustration of the effects of those late trapean intrusions is most clearly marked in the case of the Los Angeles sandstone about one mile north of the town, where the latter beds containing impressions of marine plants and other fossils have been most completely metamorphosed, so much so was this the case that the rocks would fracture transversely to the lines of stratification with as much ease as in any other direction. The fracture was usually conchoidal with sharp, well defined edges, and the fragments had a distinct sonorous sound.

Leaving San Inez and passing in a southeast direction to the San Fernando Mountains, we find a continuation of the primitive groups which are apparently connected with and continuous into the coast mountains to the north; they are met with in the Cañada Los Ubas, and are continuous from thence into the coast mountains to the west, and the southern terminus of the Sierra Nevada.

The rocks in the vicinity of the Tejon are granitic, consisting of Sielite, Hornblende Granite, a goodly amount of the more felspathic rocks, containing imbedded crystals of hornblende and schorl, with Mica and hornblende schists. They evidently belong to one and the same group, having an age contemporaneous with that series found some two hundred miles farther to the north. South of the terminus of the Sierra Nevada, and on the western edge at the desert, are to be found small masses of scoria with small fragments of Obsidian, the latter not abundant.

The above general characteristics are sufficient to fix the relative ages of these distant groups, of allied rocks, and when we remember that nearly throughout the entire range of the mountains they traverse, that another and widely distinct formation is found reposing upon them, the features of which either at its extremes or centre are congenerous in character, or but slightly variant. The great uniformity thus manifested in the primitive rocks below, and the sedimentary group above leads us most irresistibly to the conclusion that cotemporaneous origin in each is most distinctly marked.

It must not be inferred from the above that more recent disturbances in these districts have not taken place, for this fact has been before noticed in former reports while speaking of other parts of this range, and the same is also observable in the district under consideration. The principal differences in fossiliferous character among the superior sedimentary deposits of this particular period will be found attributable more to climatal influences, rather than to any apparent differences in relative age; for latitude exerts a much less influence on species than temperature.

The differences in species found at the extremes of this group of sedimentary

rocks, are not more marked than are the present living Mollusca now inhabiting the waters of the coast at corresponding points to the west of any portion of the range. At Point Conception we may find some few of the species that are abundant on other parts of the coast north of this locality, but as a general rule it will be found that the large majority of all the species thus met with will differ very widely from those, even one hundred miles further to the west, and even at less distances. The same rule will apply to the fossil organic remains of this section of the State, and with much more strictness, as we find the evidences of an inland sea, whose natural boundaries were such that a higher temperature must have existed than ever that which is so characteristic on the south flank of the Sau Bernardino Mountains at the present time.

The topography of the country investing its shores was mountainous, and the hills of sufficient altitude to protect it from the harsh winds of the north; an augmentation of temperature was the natural result producing different organisms from those at the base of their western declivities; it is thus that we find in the fossil forms of those districts the species that now exist only in the lower latitudes, and which are marked by the *Murex*, *Typhis*, *Arca* and *Cucullea*. On these premises are we able to reconcile some of the apparent discrepancies which have arisen, and place the deposits in their proper geological position as regards the periods at which any portion of this group had their origin, and it explains one of those causes of diversity in species among beds evidently contemporaneous.

We have very conclusive evidence before us in this State, that the climatal conditions prevailing during the period in which the Miocene beds were forming was much greater than that prevailing at present, and confined to particular districts, though extending over considerable areas; this arose evidently from the causes above noted. That the shores of the Miocene sea were primitive is proved from the fact that these rocks are imposed directly on the latter, thus demonstrating that its relative age with that of the northern and eastern chain is widely different and far more recent.

Since the period of their deposition other and important changes have taken place, and upon the coast line we find the superior beds of the Tertiary epoch elevated in regular succession above the element in which they originated. How far into the southern interior of the State these groups may extend is yet in an uncertain state, the reports to the present session of Congress from explorations of these districts will probably determine this point.

VOLCANIC ROCKS OF THE COAST MOUNTAINS.

We come now to the consideration of another and different group of rocks, found in connection with the primitive rocks of this district. Their appearance among the latter demands some consideration, as it is to this group that we must look for many of the mutations observable in this part of the State, as causes producing them were undoubtedly instrumental in producing those manifest changes so frequently observed among the sedimentary rocks of these mountains. The volcanic rocks of this part of the coast mountains consist for the most part of intrusions of a scoriaceous and vesicular lava, at other times it becomes much more compact in form, and again exhibiting itself in the form of a light volcanic froth, its colors are various, passing through all the different shades from a yellowish white to a dark iron-brown and black with a semi-metallic lustre. From what opportunities occurred for their investigation I think there can be but little doubt that their intrusion took place, for the most part, during the miocene period, as they appear to have disturbed this group much more sensi-

bly than any other in these particular sections. We are warranted in this conclusion to a considerable extent, by an examination of the equivalents of the southern rocks, found nearly three hundred and fifty miles north, as in the case of the tertiaries situated among the Buttes in the county of Sutter. Here the recent volcanic series is found intruded through the sandstones of these mountains which bear the same fossils as those noted in the preceding section, while at the distance of twenty miles to the north-east the fossiliferous rocks of later date are found entirely undisturbed by any of those particular intrusions.

The scoriaceous lavas of this date are well represented by a dike of similar character passing through the upper portion of El Dorado county, and which is found very often in detached masses on the hills between Georgetown and the Middle Fork of the American River. Specimen No———. In the vicinity of the Tejon Pass and on the desert to the south it forms isolated hills known as "Lost Hills," but in passing into the mountains this characteristic becomes immediately lost; we here find that they enter and cut through nearly all of the primitive rocks, as well as the sedimentary, and where large dikes are formed, changes of structure are easily observable, the original structure being entirely destroyed.

It was not uncommon to find jasperoid rocks in the vicinity of these dikes, where they had intruded through either sandstone or slates. In these cases every trace of former organic existence was dissipated, and were recovered only by traveling often considerable distances.

Among other disturbing agents and differing in general appearance from the lavas, are to be found frequent intrusions of a recent trapean rock (green stone) which is common in many parts of these mountains, but more abundant in the transverse chain to the south; these rocks are found to penetrate the latter to their southern base, and approach nearly to the coast line in some places; they cannot be considered of cotemporaneous origin with the former by any means, as we find them disturbing a distinct and more recent group of sedimentary, as well as the older rocks. There is every reason to believe that they were intruded as late as the miocene period, as they are in contact with rocks as late as those found on the Carmello and near Monterey, a part of which Mr. W. P. Blake considers as quarternary, and they certainly are not earlier than the Post Pliocene.

It is probable that these rocks have been principally instrumental in disturbing nearly all the late tertiaries, as we find the greatest amount of dislocation among these rocks, when found in contact with this intrusive suite.

GEOLOGY OF THE SAN BERNARDINO MOUNTAINS.

The trend of this mountain chain has been stated as being nearly due east and west; this will be found to hold good for the greater part of its entire length; and it now becomes necessary to trace as distinctly as possible the peculiarities of the geological structure of its mountains, in order to draw legitimate deductions respecting the character of adjacent arable districts lying at their base.—The inception of this chain on the west was stated to occur a few miles north of Point Conception, and to follow the above trend nearly or perhaps quite to the Colorado River.

The geographical position of this chain must exert a powerful influence in modifying the productive capabilities of the adjoining lands as well as also the production of diversified species in the neighboring seas, which we find to be the case, the latter having been fully demonstrated within the past year.

These mountains are made up for the most part of the primitive rocks, and consist chiefly of the granitic series; they form by far the most of all the higher ridges and more elevated peaks belonging to the chain.

The primitive series is flanked on the south by coarse-grained sandstones in the county of Santa Barbara, a large proportion of which is fossiliferous, the species not corresponding with those found in the adjoining mountain chains, except perhaps to a very limited degree. A high ridge of this chain lies to the north and east of the town of Santa Barbara, and sends a heavy spur down to the water-line of the coast a few miles from the town; this spur approaches so closely to the beach that the traveler is compelled to take its sands for his road a distance of twelve or fifteen miles, at the end of which he rounds the base of the spur, after which he finds a more agreeable road until he arrives in Los Angeles. West of Santa Barbara the ridge is more distant from the coast line, but carries the same lithological characteristics to the pass of the Gaviota, and thence on to the Punta Sal, a short distance beyond which the base of the ridge again approaches the water-line, and forms a rugged, bold shore. The Pass del Gaviota is a deep, rocky cañon composed for the most part of large boulders of coarse sandstone, portions of which contain imbedded fossils of marine origin, (the pass furnishes a rough avenue to enter the Santa Inez valley from the coast and is sometimes used to avoid the ascent and descent of the La cuesta San Inez in traveling to or from San Luis Obispo.) These rocks continue to the hills, forming the south-west border of the valley, and are found also upon its northern and eastern limits. On the right of the road leading to San Luis Obispo and about four miles from the valley of Santa Inez a large bed of *Ostrea* are found, and immediately to the west among the lower hills, beds of sandstone containing but very few fossils. On ascending the high hill at this place we find the equivalent of the fossil *Ostrea* perched high upon the summit of this ridge; the difference between the respective levels of the two beds being near nine hundred feet, and the distance but little short of one mile and a half.

This is but one of many instances that might be mentioned, of similar occurrences among the fossiliferous groups of this State, in which we find parts apparently of the same bed occupying widely different levels and both *in situ*, and it will be necessary for us to account for these apparent discrepancies on some other hypothesis, more consistent with the existing facts, than that of mere uplifting from volcanic action alone, although this agency has undoubtedly performed an important part, in many instances, in elevating parts of these beds in certain localities. It is very evident that the differences in elevation among the tertiaries of the same period, and as we have just seen, parts of the same bed, must be referred to other causes than the one generally assigned in this country, and when we come to consider the species found in different beds, their present habitat will afford us a basis on which to found a theory, at least, that will in some measure account for the discrepancies observed.

The geology of the San Bernardino chain, so far as it has been examined, affords us some instructive examples relative to the disposition and distribution of the fossils found upon its flanks. On both sides of this chain we find the miocene deposits, evidently of the same period, occupying different levels, and the same beds presenting different lines of dip; in one case a great degree of horizontality prevailing while in another the beds will be highly inclined.

The fossiliferous beds rest mostly upon the primitive rocks. When an exception to this rule occurs it is found to be entirely local, and extending over inconsiderable areas, this may be considered true of the western portion of these mountains, but how far to the east it may extend I am unable at present to determine. The more horizontal beds of these rocks were usually found nearest to the summit of the ridges, those upon the flanks and near the base possessing the highest degree of inclination, and the latter occurring on the southern base to a much greater extent than upon the north. This is easily accounted for in examining the country near the coast-line in this vicinity. At the distance of about forty

miles from Santa Barbara on the road thence to Los Angeles, these mountains have suffered to a small extent comparatively speaking, in those disturbances which have been alluded to as occurring in the coast mountains; this is manifested a few miles east of the rancho Poseto in the county of Los Angeles. At the distance of fifteen miles further in the same direction, and to the northward of the Conejo ranch eight miles, a scoriaceous lava bursts through the base of the mountains, and is found in the second range of hills north of the latter locality; this continues at intervals until you enter the locality of the lower mountains north of the Pesos River, and was found to continue eastwardly as far as the Semma and Papa, beyond which point it was not observable.

This lava has burst through the primitive rocks and apparently overflowed some few of the sandstones, but the principal effect on the sedimentary rocks has been that of tilting them from their former position. This volcanic action has continued, apparently almost uninterrupted from the eocene or miocene periods down to the present time, though evidently not to so great a degree at present as formerly. This is evidenced by the continued action of a number of small volcanic vents at different distances from the coast, and extending from the county of Luis Obispo to the northern portions of Los Angeles, the most northern of these vents occurs on the south side of San Simeon Bay at a distance of a little more than three miles from the ocean. As you advance south from this point the next in importance is found in the hills fronting the coast, on the rancho of Guadalupe in the northern part of the county of Santa Barbara; another is active is found on the ranch of Dr. Robbins about five miles from the town of Santa Barbara. Again at the Rincon twelve miles from the town another of these vents is found. These localities emit light, heat and smoke at different intervals during the year, and some of them are dangerous to approach; they are undoubtedly closely connected with the phenomena of earthquakes that often affect this district of country, and which apparently have a tendency to expend their principal force in an easterly and southerly direction. The records of earthquakes that have reached us from this section of country furnish us evidence in support of this supposition.

By referring to the number of shocks which have occurred since 26th of November, 1851, up to July 14th, 1854, in this part of the State, we shall find that they amounted in the aggregate to 31, and of this number 23 have not been felt north of Luis Obispo, their principal force being exerted south into the ocean for a distance of fifty or sixty miles from the land, (as in the case of the marine volcano 25 miles southeast of the Island of San Clemente, observed by Capt. Cropper and officers of the steamer Cortes on the 1st of March, 1853, and now known upon American and English charts as "Cortes Rocks,") and east beyond the Colorado River; (as in the disturbances which occurred on the desert, at Camp Yuma, and south and west of the Colorado River, on the 26th of November, 1851, the latter "Mud Geyser" being still active as recent accounts from this section of country declare.) The latter shocks were felt in various portions of Los Angeles county, and were particularly severe at the Mission San Gabriel.

The effects of these subterranean agents over so large an extent of the southern part of the State furnish us with the means of judging of what the effect must be on all the superincumbent strata, over which they exercise an immediate influence. The natural effect must be either to raise or depress the country in rather a uniform manner than otherwise, (as great intensity of action is not manifest,) and we have no better means of forming an opinion than by an examination of the sedimentary groups along the coast-line. A careful examination of these rocks will lead us to conclusions that are not only interesting in a scientific view, but also of a practical and economic character, as their true positions must

exert a beneficial or injurious effect upon operations that will be presented in the improvement of the soil in this part of the country.

The dip of these rocks is peculiar in some respects, following as they do a direction different from that which might have been anticipated, from any features which the relative positions of the mountains and plains present on their exteriors. We should expect to find a linear dip from the mountains to the sea, where the inclination of the surface is so regular from the former to the latter ; but in place of this we find that the dip of the stratified rocks is the reverse of this, inclining to the east, while those of the mountain ranges directly opposite are found inclining to the west. Were these peculiarities limited to a small area they might be accounted for from local causes acting in such immediate districts, but as we find them extending along the coast-line for a distance of nearly 250 miles, we cannot but regard them as the results of extensive local action, elevating the coast-line.

There is but one other method of accounting for the position of the rocks, (extending as they do from the southern shores of San Simeon to the northern lines of the counties of San Diego and San Bernardino,) which is, that the Islands forming the west coast of the Santa Barbara channel were originally united and formed part of the main land, holding those relations to the plains at the east, that the coast mountains do to the valleys of the Sacramento, Salinas and Santa Clara. There may be some reason for a supposition of this kind, as many of these islands contain quiet elevated lands, and the island of Catalina is in reality an almost unbroken mountain ridge, (with the exception of what is called the Isthmus,) for 30 miles in length, as elevated as many parts of the coast mountains.

Should this position be assumed, we must suppose that an area of plain lands equaling three-fourths of the length of the Sacramento and San Joaquin valleys by about 200 miles in breadth, (for these islands extend through four degrees of longitude and nearly six and one half degrees of latitude) must have been submerged during one or a succession of those turbulent periods that have formerly been in existence on the western portion of this continent, or that a rupture having occurred, the inroads of the seas have gradually denuded these lands, and thus effaced them.

It would be unnecessary to travel thus far into the abyss of time, to reconcile a feature that may present itself, like that under consideration, where we have an agent at hand, in active operation, and adequate to produce all the features which these rocks manifest ; more simple and satisfactory will it be to account for their present dip by the agents above alluded to, than to seek for causes beyond our comprehension and our powers of satisfactory demonstration.

In an economical view these rocks will claim our attention. It has been observed that the rocks on the coast-line for the most part have an easterly dip while those of the mountains to the east dip in an opposite direction. The effect of this is to produce a basin-shaped structure, under the surface of the plains and as this section of the State is strictly agricultural and but little improved, it becomes an inquiry of no little importance to ascertain the probabilities that exist for obtaining water through artesian borings.

The structure of the rocks which form the basis of the plains of Los Angeles are such that we may reasonably suppose that subterranean waters are flowing among the slates and compact sandstones beneath the surface. The character of these rocks should first be understood and also their positions relative to each other.

STRATIFIED ROCKS OF THE SAN BERNARDINO CHAIN, AND PLAINS OF LOS ANGELES.

The stratified rocks of this chain consist of clay, clay-slate, sandstones, conglomerate and bituminous shales ; these comprise those rocks only which have been observed by outcrop along the coast-line and on the flanks of the hills to the east. Commencing at Point Aguilla we find the coast-line presenting high bluffs of a light brown sandstone, interlaminated with thin seams of clay and slates, possessing the same color as the arenaceous rocks in which they are imbedded. As you recede from the sea, the land is found to become depressed to a considerable degree until within a short distance of the base of the mountains, when it is again observed to be more rapidly ascending. This fact will hold good with regard to all the level lands fronting the coast from the above point south and east of San Pedro in the county of Los Angeles..

In traveling over this part of the coast another general and striking feature will arrest the attention, and if the pedestrian has traveled in any of the great valleys of this State, he will be struck with the remarkable coincidence which is manifest along the entire range of that terraced structure found so general throughout the whole extent of those valley sections. The superficial soil of the coast terraces is composed of rich mould of a grayish brown color, this is mixed with a fine sand, and a small quantity of mica with a little clay. The sub-soil is composed of a brown loam mingled with a blue clay and and white sand, the blue clay alone forming a thick bed beneath the whole, and resting upon the rocky structure forming the basis of these plains ; this may be considered the general structure of those lands laying at the base of this chain, but will probably be found locally modified in portions lying adjacent to the hilly regions.

The first suite of indurated rocks beneath this consists of a bed of loose sandstone seven feet in thickness. Below this again is found a bed of light yellow and brown infusorial clays interlaminated with thin seams of sandstone ; four feet below this again are found sandstones of a brown color with thin seams of slate containing much calcareous matter thirteen feet in thickness. A heavy bed of bituminous shale succeeds the latter of about eighty feet in thickness, from which issues in many places large quantities of fluid bitumen, and below this again is found a bed of dark sandy clay above which I have frequently seen waters issue in small quantities and under all the strata above named. The aggregate of their thickness inclusive of the alluvial coverings amounts to 124 feet, and the above description applies more particularly to the country stretching from the coast-line towards the east or the interior. The following tabular arrangement giving the line of dip will serve a better purpose of illustration of the position of these strata :

Alluvium 20 feet.

Sandstone infusorial clays, 4 feet.

Sandstone and calcareous slate, 13 feet.

Bituminous shales, 60 to 80 feet.

Dark sand and clay.

Sea.

At the bottom of the cliffs and near the sea level the drainage from the strata above is observable, and where water is not seen to issue there are unmistakable evidences of its presence in the growth of plants requiring much moisture for their propagation even within a few feet of the sea.

From the above section it will be seen that the bituminous slates, from a heavy underlying bed to all the strata above, and though apparently firm and compact in texture they admit the percolation of water, probably between the lines of stratification. The freedom with which water issues from beneath these rocks is best observed about one and a half miles east of the town of San Pedro, on the beach; here the waters come up through the sands of the beach in the same manner as is observed in small bubbling springs situated in soft wet lands — From the appearance of these plains it is evident that the dip of the coast strata assumes nearly a level position and reversed inclination at the distance of seven or eight miles east of San Pedro and towards Los Angeles, and that the edges of the reversed dips, are covered by the superincumbent drifts from the primitive mountains west and north of the city and plains.

Among the sandstones, clay and slates of this district, are to be found large quantities of marine mollusca in the fossil state, they are usually found in alternating beds, at times upon the summits of the cliffs among the fine alluvium and soil, as in the high table ridge west of the town of Santa Barbara, or resting in soft and indurated calcareous sandstone in the same vicinity. Again they are found in the firm sub-soil or upon the left shores of the estero from one to three miles northeast of San Pedro, in beds ranging from a few inches to several feet in thickness. The bituminous slates with a few exceptions contain no fossils of marine origin; there are occasionally impressions of fucoids to be met with, on the surfaces of the lamina composing the group, and although other organic forms are almost entirely absent this fact is sufficient to prove that they have had their origin beneath the waters of the ocean.

The great extent of territory which these shales cover is rather a novel as well as an interesting feature in the geology of this State. They manifest themselves first in quantities which entitle them to consideration as a distinct formation, in the upper parts of the counties of Santa Clara and Santa Cruz, extending into the county of Monterey; the district is small however when compared with that which we find further south, and appears continuous for a long distance. The southern group is found to commence in the county of Luis Obispo and traverses the whole of the west portion of that county and extends through the entire length of the counties of Santa Barbara and Los Angeles, evidently underlying the greater part of their territory from the mountains to the sea. To

what extent these slates may pass beneath the surface of the ocean is of course unknown, but there are good reasons for the supposition that the distance is considerable, from the fact, that during storms when a heavy swell is occasioned there are large quantities of these rocks brought up and distributed upon the shore, in fragmentary masses. Attached to these fragments often are mollusca and marine plants belonging to deep water and differing widely from the shoaler littoral deposits which are also found in great numbers. Another evidence that this formation extends for some distance beyond the coast-line seaward is the fact of the emission of liquid bitumen and its appearance on the surface of the ocean miles distant from the main land. It might be argued that the currents of the ocean would have the effect to transport this material to considerable distances from this shore, and this is undoubtedly true to a great extent ; but in forming this conclusion we should remember that the greatest amount of force is manifested during the setting of the flood tides, and that all floating materials are soon landed on our shores from great distances at sea. I have been informed by persons engaged upon the coast that this bitumen so often seen upon the waters south of Point Conception has often been noticed west of Catalina, and that they have sailed through large quantities of it beyond the Island, while the waters in the channel have been for days free from its presence. Such facts would lead us to infer that these shales extend probably as far to the west, forming the bed of the ocean, as they are known to extend to the east under the surface of the extensive plains of Los Angeles, the distance in the one case being about equal to that in the other.

The remaining sedimentary rocks of these mountains consist of sandstones and slates, the former composing by far the greater bulk thereof. The sandstones contain the larger proportion of the fossils found in these districts, and lie in all cases superior in position, to the bituminous slates. In the vicinity of Santa Barbara they form a large portion of the covering on the flanks of the mountains extending to the summit of the southern ridge, their aspect is repulsive and barren, vegetation being almost entirely absent, except in the deep, precipitous ravines between the hills ; the foot-hills below are made up of large boulders having evident marks of abrasion by water, and coarse gravelly drift derived from the same sources. On these lower hills the oak and indigenous growths flourish, although the soils are harsh and coarse, as they naturally must be from the sources from which they have been derived. This is but another evidence of those powerful fertilizing agents that are so lavishly distributed through our soils compelling the otherwise sterile hills to produce abundance for flock and herd.

One of the causes of this fertility is found in an examination of the fossiliferous rocks, it is evident from their appearance that the animals lived and died on the spots where their remains are now buried, they do not present the appearance of a littoral deposit, there is not that variety in species which we should look for under those circumstances, or those broken, rolled and fragmentary remnants usually found in the latter. Whenever a bed of fossils is met with in this section of the country among the indurated sandstones, either the shells of the bivalves are entire or casts of their interior exist ; when the latter occurs is is not unfrequent to find upon the mould of the shell a true imprint of the animal that inhabited it. I have seen the palial impression of a *Venus* with its sinus and muscular cicatrices nearly as perfect as though a cast had been taken from a recent animal.

The rocks found in these mountains and at their base contain marine animals, inhabitants of both deep and shallow water ; with those also that live upon the verge of highest waters ; this fact would indicate that gradual elevation has been exerted over a considerable area in this part of the State, as forces are still in

activity that are commensurate with the production of the features manifested, but it should be remembered that the area thus affected is not applicable to the entire suite of fossiliferous rocks incident to these and the ranges of the coast mountains.

We come now to consider another group of sedimentary rocks, skirting the base and foot-hills of these mountains and confined to the county of Los Angeles and northern part of San Bernardino. These were traced from the mountains lying between Arroya Peros and Rio Santa Clara on the west to a point east of Los Angeles as far as the Arnaci and San Jose ranches lying to the east and south of the Monte.

To convey a clear idea of the position of these rocks, we will commence to the north of the city of Los Angeles, and at the base of the higher hills, or where the sandstones and slates are found in direct contact with the primitive and other igneous rocks.

As before observed the principal rocks of this chain are granitic. The first rocks of sedimentary origin met with and in contact with the granite is a bed of arenaceous slates. These so far as I was able to form an opinion appeared to be about thirty-five feet in thickness and dipping south fifty-five degrees.— Beyond this, coarse sandstones were met with having the same dip interlaminated with their beds of fine brownish clays. These rocks apparently have been but little changed by subsequent volcanic intrusions and contained many fossils, all of which were marine consisting mostly of the cardium and allied species. Advancing south we now approach the first foot-hills of the valley and such as are found within one mile of the town; here a change of character specifically different from any of the aqueous rocks to the east, is to be observed. This latter suite constitutes the only material change of consequence, among the tertiaries of the San Bernardino chain.

By way of distinction these rocks will be denominated the infusorial group, to separate them from the earlier and later rocks of this era, and as there will be occasion to speak of them as occupying the position of distinct groups, belonging to one or more of the periods. These rocks are made up of beds of sandstone 100 feet, having a buffy yellow color and which pass almost imperceptibly into a sandy clay-slate, and thence into a fine, whitish, soft and light chalk-like deposit 16 feet, perfectly stratified and often receiving the name of *chalk clay*; this is again covered by a light fossil slate 28 feet, containing fragments of small and as yet undetermined species of animals; the dip of these rocks is very uniform, maintaining nearly a vertical position or but slightly departing from it. On these rests the drift 30 feet, which in hills fronting the plains forms an imperfect coarse conglomerate, made up of the sieuites, granites, trap, indurated and metamorphic sandstones. All this suite have been disturbed by recent intrusions of trap rocks and as in the case of the buffy sandstone half a mile north of the city, the transition near the points of contact is such that the rock will fracture transversely to the lines of stratification as readily as in any other direction, the fracture is always conchoidal, breaking with sharp well-defined edges, and the stones when broken having a sharp sound much resembling the dolorites. The high inclinations of these beds are due undoubtedly to the later intrusions of the igneous rocks, and they must have received their dip anterior to the deposit of the coarse drift, as the latter appears to rest unconformably upon their upturned edges. This is the fact with respect to this entire group generally, whether found in the county under consideration, or in any other part of the State, in which it has been observed.

The artesian boring in the city of Los Angeles has developed to a certain extent the character of the plain beneath the surface to a depth of 400 feet; the position of the strata through which they have descended is as follows (as near

as could be learned) : a heavy blue clay for 30 feet, followed by a bed of coarse gravel, (drift) 18 feet ; clay, sand and gravel blue, 16 feet. These contain small marine shells followed by a thick deposit of tough, blue clay, 150 feet, (containing fossils,) the character of the earth below this point has not as yet been ascertained, nor have they yet struck the superior strata of the sedimentary rocks a few yards to the north of the well.

EXTENT OF THE INFUSORIAL GROUP.

This group of rocks was found as far east as the foot-hills of Sierra San Jose, and continue along the southern base of this part of the chain to the south of the hills on the banks of the Arroyo Peros ; they were also observed among the hills near the Conejo and La Poseto ranches. On the east bank of the Santa Clara River a small deposit was found at an elevation higher by nearly forty feet, than at any point east of this place ; after crossing the Santa Clara River it is not again seen until near the Mission San Buenaventura ; here it again assumes its usual position as regard altitude and continues thus to the Mission of Santa Barbara. After leaving this locality it is met with as a thick bed capping a low ridge in the vicinity of the ranch Coral, and also between the latter place and Paso del Gaviote. In crossing Point Conception the coast assumes a more northerly trend, and the infusorial deposits follow the same line and make their appearance at La Espada in the county of San Luis Obispo, continuing along the line of the same direction nearly to the Bay of San Simeon. Beyond this point I possess no information of its existence or position, until reaching the Bay of Carmel, when it is found nearly continuous to the heavy deposits three miles from the city of Monterey.

In the County of Santa Cruz these rocks are again met with to the right of the road crossing the Sausal, and also on the north bank of the Pajaro River near the junction of the Pescadero. They are invested by sandstones and slates in nearly every instance in which they are found, and their uniformity in altitude is one remarkable feature attending the entire group. An observance of each and all of their main characteristics may be noticed by one locality, viz: near the town of Monterey, and what is observable here in this particular, will be found a true index to all the rest of the group above alluded to, in any portion of the State. It will be seen from what has been said respecting these rocks that they are general in distribution within the limits of certain districts, holding as they do an average height above the sea of about 330 feet, varying at no place so far as known, over 22 feet from this line ; the linear extent of the group exceeds 461 miles. Their constancy with respect to the tertiary, *miocene*, (or perhaps later periods) would induce me to apply a name to this group that shall at once identify it as a marked feature of that portion of the tertiary era to which it may ultimately prove to belong. Its uniformity of character in every particular, connected with its extent and associations, fix it as a guiding mark that will serve to separate the group to which it belongs from those that preceded or followed it ; I therefore propose the simple term of the *Infusorial period*, belonging to the tertiaries of California.

As before observed, the regularity of position and altitude of these deposits leads us irresistibly to conclusions respecting the elevation or depression of this portion of the Pacific coast. The evidences which they furnish are to the effect that since the emergence, there has been but little of those violent disturbances

which agitated the country prior to that time, and that the recession of the sea from those points has been gradual; an idea which is borne out most fully by corroborating evidences in other and more distant parts of the State.

PLAINS OF LOS ANGELES.

In the preceding pages we have given a brief summary of the general characteristics relating to the geology of a portion of the coast and San Bernardino mountains. We shall now proceed to examine the probable positions which the sedimentary rocks of the latter chain occupy beneath the surface of these plains. From what has been said of the positions of the rocks among the foot-hills skirting the northern edge of the valleys, it will be seen that it is with the latter or infusorial group that we have to work in forming conclusions respecting the structure of these plains below the surface. The great extent of these plains requires more than a passing notice, and their value can only be appreciated by a careful examination of all their characteristics both below as well as on the surface. We cannot judge of the value of a district of country by a superficial glance at its exterior features, and nothing but a searching and discriminating view of its hidden resources can give us an adequate idea of either its present worth or its prospective facilities. This remark will apply with great force equally to the Plains of Los Angeles, the Valley of the Sacramento and the lands bordering it, as well as to the broad district embraced in the valleys of the San Joaquin and Salinas Rivers, especially when we come to consider their agricultural fitness, or their application to any pastoral purposes. It is needless here to dilate upon the importance of a knowledge of the geological structure and mineral affinities which often influence the virtues of soils rendering them more or less adapted to certain purposes of an agricultural character. Great error might doubtless arise in many instances were we to attempt a judgment of some of the districts alluded to, without such knowledge; for instance, a stranger passing along portions of the Plains of Los Angeles in our long dry summer season would find the beds of streams dry, the herbage and vegetable growths seared, the earth parched and cracked open as it lies baked in the burning heat of the sun, the timber sparse and of a gnarled and almost useless description; upon these external appearances he would conclude with great error that he had found a region unfit for the habitation of man, when in truth, such is the sub-structure of these plains that their soils are unsurpassed in fertility by any others in the United States, as the returning seasons of rain would prove to the same traveler, when he should find himself almost buried in the luxuriant growth of the grasses, wild grain and herbs of these districts. And it ought to be observed that vast portions of these lands may be irrigated, so that even in the summer they can be brought within the profitable control of the husbandman.

These portions of the country which are not found to yield the precious metal, or any other useful mineral products to any great extent, can be interesting in an economical point of view only with reference to their means of agricultural occupation. It will be with the purpose of precluding erroneous conclusions from being drawn out of any remarks we may make in this connection, that we propose at this time to consider the geological structure of these sections in the bearing it may have upon the prospective interests alluded to, interests which we think are destined sooner or later to test all the capabilities of these valleys for agricultural and horticultural production.

The first question in importance to be settled on this subject is the one of

irrigation; what are the means to be used in order to bring within the reach of the farmer a supply of water sufficient for the thirst of the land and for the necessary wants of stock during the long dry seasons of our climate? Two methods have been proposed to which we will address ourselves at this time. The one is that of *tanks* which may be found amply sufficient for present purposes in supplying the lands now occupied with water enough for the farmer and horticulturist. The other method is by canalling, for the purpose of drawing water from the rivers out upon the plains in sufficient quantities to supply their entire surface with the essential element of cultivation of the soil.

The tanking system has been used for many years in India and the oriental nations, and has proved successful beyond the expectations of its originators. The positions of the hills forming the northern boundary of the plains of Los Angeles are admirably situated for the accumulation of water by this means, and the expense of constructing the dams necessary for its retention would be comparatively small, when considered in connection with the advantages to arise from their erection. There are many natural reservoirs skirting the line of these plains, which, if obstructed by small dams, would furnish water sufficient for all ordinary purposes of cultivation. Immediately to the north of the city there is an opportunity afforded for accumulating a body of water nearly one mile in length, with a breadth of one fourth of a mile, and a depth of from 20 to 30 feet, by the construction of a single dam across the entrance of the ravine. This lagoon would be filled and kept supplied for at least six months of the year from the rains which annually fall, and from which several remitting springs in this vicinity are now supplied. This is given as an instance, but only one of many of a similar character which may be found to prove that from the constructions of these hills, nature seems to have designed a plan which would force itself upon the mind of man for meeting the exigencies of our long dry seasons, and in this way inviting him to the enjoyment and possession of her rich fields. It is a practicable and feasible plan which would at once strike the eye of a hydraulist, and which has no place in the theories of visionary speculation.

The other method alluded to, and which we esteem one which promises to be advantageous, if applied in this region, is the construction of a canal of about three miles in length, which will divert a portion of the water of the Los Angeles River from its natural channel, and connecting it with the semi-natural reservoir spoken of, so as to keep it constantly supplied with an abundance of water. An objection might at first view be interposed by the public of this locality to this latter project, on the ground that it would interfere with the supply of water for irrigation which is already used in considerable quantities for the lands already in cultivation, yet a little reflection will make it convincing that the lands now irrigated by the use of this stream would not necessarily suffer from any scarcity of water, as its present wastage is sufficient to supply irrigation to at least double the quantity of ground to that which now occupies the area of irrigated cultivation in that vicinity. This plan would present another advantage in the fact that the water thus diverted would be retained at a much higher level than that occupied by the point at which it is at present taken from the stream for its distribution along the lower bottom lands bordering the river. This would expand the area of distribution, while the drainage passing through the higher terraces to the north and west, would again find its level on the *sanjous* now used for conducting it through the lower bottoms. This river discharges a greater quantity of water than that flowing in Bear River during the dry season, which is entirely lost in the loose sands a few miles west of the City. Here sinks beyond the control of the farmer a sufficient supply of water to irrigate successfully a large surface of the richest soil, if it were saved by the plan already proposed, which might redeem these lands from their parch-

ed and arid condition, which in the summer months now prevents the growth even of their indigenous herbage and grass, and entirely unfits them for agriculture. We have sought in vain for any valid objection to this proposed use of the water of the stream alluded to for agricultural purposes on the plains beyond the City, as it would be impossible for the waters to escape to any great extent either by evaporation or sinking; which, as it is at present, is the means of robbing the lower bottoms themselves of a sufficiency of water for needful purposes, and leaving the higher terraces entirely parched. The sub-soil of these higher lands, as already observed, is composed of a very tenacious blue clay from 30 to 40 feet in thickness, and as impervious to the percolation of water as a solid mass of granite. The water on reaching the clay will immediately pass into the bottoms through the same avenues which now convey it, and it will have performed its double office of irrigating both the higher and lower portions of the impending surface. A proper and judicious distribution of this stream will, I am convinced, supply abundantly more than three times the area now under cultivation in the immediate vicinity of this City, while the attendant expense would be comparatively inconsiderable.

ARTESIAN BORING.

We come now to another means of obtaining water in addition to those mentioned, and as the subject is one of vital importance to the growth and settlement of large portions of our State, so far as regards its heavier agricultural productions, I shall endeavor to elucidate as far as possible, the principles involved in the question, and also the probabilities of success in undertaking the enterprise. This of necessity brings us to a detailed examination of the structure of the plain from one extremity to the other, and which will be followed in as concise a manner as possible.

The City of Los Angeles is situated twenty miles from San Pedro to the north, and has an altitude of 253 feet above tide level, giving an ascending grade of a little more than twelve feet per mile. The level surface of this plain alone will afford no correct idea of its substrata, either in their positions or direction and degree of inclinations, but may serve in some measure as a guide to direct us in making an appropriate estimate of the probable depths to which they descend, and consequently, the probable depth that will be required to sink these wells in order to tap a perennial stream or fountain; the ultimate depth of boring the artesian wells will depend in part on the thickness and dip of the sedimentary rocks beneath, should it become necessary to pass through them. The stratified rocks composed of sandstones, slates of different kinds, and clays, will first of all demand our consideration, as the position they maintain below the surface, will necessarily affect any process which may be adopted for obtaining water, and this remark will hold good whether the source of supply shall rest either above them, among them, or below them all upon the primitive rocks upon which they stand.

In the preceding pages, when speaking of San Pedro, it was observed, that the rocks which form that point, and also Point Fermen were stratified sedimentary rocks, composed of sandstones, slates, and infusorial deposits between two beds of sandstone, and the whole of these, are on the top of bituminous shales, the bed of which rests conformably upon a bed of very dark arenaceous clay, above which or rather between which and the bituminous shale just mentioned, fresh water is constantly flowing and issuing out. At a much higher

level and at a distance of twenty miles to the north we find the same group existing, and each bed holding its precise relative position, which it is found occupying at the coast, with this exception, that the bituminous shales is no where seen to crop out in any of the hills lying at the base of the mountains. The absence of this out-crop, however, is no evidence that the bituminous shales does not exist there, but on the contrary we have strong proof of their continuation and underlying position here as on the coast, from the fact that the principal springs of bitumen are found among the lower hills in the immediate vicinity of the outcrops of their associated rocks as found near the sea. As the organic forms in each bed of the rocks are precisely identical, we have good reason to believe that the rocks on the coast line are continuously from that line to the mountains inclusive, and as a consequence form the basis of all the superficial deposits of the intervening plains. The thickness of these deposits, as determined by their outcrop amounts to nearly 200 feet, and it is hardly to be supposed that they much exceed that depth.

The dip of these beds on the south base of the mountains being much higher than those at San Pedro, it is probable that they would not be reached by boring so soon as in any other part of the valley. The dip of the stratified rocks near the edge of the plains, and at the point selected for sinking an artesian well, ranges from 48 to 53 degrees, and it will be probably impossible to reach them below the surface at that point at any distance less than 375 feet, presuming that their dip is the same, or nearly so at the distance of 1000 feet from the outcrop. It is more than probable that the inclination of the strata decreases as the distance from hills increases, and that at some point a little more than midway between the City and San Pedro these rocks have a horizontal position. This must certainly be the case or we shall be forced to the supposition that the equivalent group on the coast to the south lie unconformably, and that the two overlap each other. This would be contrary to all reasoning upon similar cases, as there are no evidences that there has been any volcanic disturbances which could have produced a false position of such a character.

The opposite inclination of the two extremes of the group favor the above presumption, and if this be true, then the superficial deposits upon the beds must be much thinner than at that point where the rocks assume a horizontal line. From the inclination of the surface of the plain from both margins, towards its centre, we should be induced to suppose that near the points of horizontal position of the basis of the plains, not only would be found a corresponding depression upon the surface, but also other attendant circumstances which might have lead us to infer that if water was percolating even among the superficial strata of clays and other earthy semi indurated masses, resting upon the rocks above referred to. Such should be the case if water exists among any of these strata, and this is the fact, thus furnishing the best evidence which we can obtain on this and similar points. We find the water leaking out of the lamina of the deep clayey sub-soil in quantities sufficient to form small lagunas and perennial springs for several miles, and at a point not less than 200 feet below the level of the City of Los Angeles and twelve miles to the south from the town. It is to be greatly doubted that anything approaching a constant supply will be found in any of the superficial material resting upon the rocks, notwithstanding wells of this character may be sufficient for the supply of local demands, and although they may rise above the surface at first, still it will ultimately be found that mechanical means will have to be employed in obtaining water in sufficient quantities for the supply of agricultural purposes.

It will most probably be necessary to pierce the stratified rocks before a sufficient amount of water will be obtained for the ample irrigation of farming lands, and to accomplish this will require heavy expenses to be laid out, for labor at

its present prices in this country; yet I think there is but little risk as to obtaining an abundant supply, if these rocks are perforated. There is one condition, however, that should be mentioned, which is that in the event of striking a bed of loose sand or gravel beneath the heavy clay bed, there is almost a certainty of obtaining an abundant supply of water, without descending below that point. I have seen but one or two instances which would lead us to suppose that such a presence is to be found beneath the clay, and above the rocks, and they were not of sufficient extent to found an opinion upon, and it may be reasonably doubted that such a bed of sand and gravel would be met with; the evidences, I think, are against it.

The thickness of the superficial deposits and stratified rocks, beneath the surface, so far as my opportunities of examination extended, are as follows: (The thickness of the rocks is from my own measurement, and the thickness of their superficial covering is from the results of the boring of an Artesian well near the town of Los Angeles.) Commencing with the alluvium and descending:

Alluvium,	-	-	-	-	-	-	-	-	6 feet.
Blue clay,	-	-	-	-	-	-	-	-	30 "
Bed of drift gravel,	-	-	-	-	-	-	-	-	22 "
Arenaceous clay,	-	-	-	-	-	-	-	-	16 "
Tenaceous blue clay,	-	-	-	-	-	-	-	-	160 "
Coarse sandstone,	-	-	-	-	-	-	-	-	35 "
Infusorial sandstone	-	-	-	-	-	-	-	-	100 "
" Clay,	-	-	-	-	-	-	-	-	16 "
Fossil Clay slate,	-	-	-	-	-	-	-	-	30 "
Total,									415 feet.

This is the smallest depth at which water will probably be found, except in the contingency above named, and it is more than probable that a greater depth will be necessary, but of this we have no direct evidence. A careful examination of each stratum belonging to the entire group of rocks, so far as the same are uncovered on both sides of the plains, did not enable me to discover any point through which water would probably percolate and issue, except at the points named, to wit: immediately below the bituminous shales, and we cannot reasonably expect to find it short of that point in boring on any part of these plains. I speak thus positively, for the purpose of preventing, if possible, any useless expenditure of money, in undertakings of this character, when they have not for their object the penetrating of the whole, or a part, at least, of the rocks which underlie the basin; as from the evidences before us, there are no grounds for the supposition that a permanent supply would be obtained short of that depth.

It may be expected that some additional reason should be given, besides what has already been advanced, why water might be expected to flow unremittingly from the depths designated. In order to meet such expectation, I will state that an examination of the accompanying diagram exhibits the fact that the Los Angeles River flows for miles at an altitude much greater than that occupied by any of the sedimentary rocks which have passed under our consideration, and that for several miles its course is along the line of strike and parallel with the dip of the series belonging to this group, and crosses those lines only when it approximates the edges of the plains, and where the drift and alluvium covers the whole.

Again, the sources of the river furnish a much greater supply than is found to reach the valley sections, the proportion arriving at the latter point compri-

sing about one-third of the quantity supplied at the sources. We cannot account for so great a loss in volume on any other ground than that of absorption, and we are not left to presumption in this case, but have the best of evidence that such is the fact, for in observing the stream as it issues from the primitive rocks, even but a few miles from the City we find that its volume is much heavier than at any point below, after reaching the sedimentary rocks. This is found to be the case with several of the streams in the northern part of the State, and is particularly observable in the Yuba, West Feather and Cosumnes Rivers, during medium stages of water. From Foster's Bar to the junction of the Middle Yuba, there is a greater volume of water than at any point below the junction, while in the vicinity of Marysville the volume is nearly fifty per cent less than it is thirty-five miles above, notwithstanding that the main river receives all of its principal tributaries from the Middle Yuba down to its confluence with Feather River. The same condition of things is observable on the Cosumnes below Cook's Bar and the Sink, and on the West Feather River from just above Rich Gulch, and the same features are also distinctly marked on the Main Feather as far down as the White Rock. The cause of this irregularity in the volumes of our principal mountain streams seems to us quite apparent. These streams which we have named, as well as others, rapidly approach the stratified rocks as they descend towards the valleys. These rocks are nearly all open and of a loose texture; the streams, like the Los Angeles River, often flowing for miles along the line of strike belonging to the groups, and crossing the same only when they approach the alluvial deposits, either among the lower hills or at the edge of the plains. These facts being established, we then have another reason for the presumption that water will be obtained by the means suggested, and the evidence is strong in support of the presumption. The disappearance of heavy springs among the stratified rocks near the surface, indicates that the waters which pass beneath them are probably discharged into the sea, as these rocks carry a southerly dip far enough for this purpose. One other fact is worthy of notice, and furnishes stronger evidence of the feasibility and probably successful termination of operations by boring than perhaps any which has yet been adduced. It is this: on the high hill to the west of San Pedro, about four miles distant from the shore, and at the altitude of nearly one thousand feet, the out-crop of the sandstones belonging to A. in the diagram are observed, being interlaminated with their seams of slate. The dip of these rocks on the hill is nearly vertical, the inclination being to the north, corresponding in direction with those on the shore. From among these rocks and at this height there is a perpetual spring gushing out, which furnishes water for a large number of cattle which graze upon this mountain, while no particle of water is to be found during the dry season for a long distance around; there are no sources from which this water can be derived in any part of this hill, and none such corresponding in altitude within thirty-five miles of the spring mentioned. Upon the flanks of the mountains on the other side of the valley at about the last mentioned distance, the identical rocks from which these waters emerge, are found at sufficient altitude to furnish such a spring; the same rocks are also found twelve to sixteen miles north and east of Los Angeles, where the river flows parallel with their course, and upon them for nearly three miles. At the distance of four or five miles further west along the coast, at a locality known as the "*Cave*," there is also, I am informed, a constant stream flowing out among the stratified rocks, which was formerly resorted to as a watering place by vessels, and by the seal and otter hunters.

These facts are sufficient to induce the belief that Artesian borings will succeed on these plains provided they are carried to sufficient depth, and also that failure is as certain if due discrimination be not used in conducting these opera-

tions When we consider the amount of expense which will be required in order to attain this object, and the hazard of failure to individual enterprise, we think it would not be unwise for a County like Los Angeles herself to set an example as a County, by securing the idea in the minds of the people, and exhibiting to them the proof that the work can be made successful by proper management, especially when we know how deeply the failure or success of such means for obtaining water will affect the future growth and welfare of the plain country. After a successful operation of this kind by the County, individual enterprise would readily embark in similar works wherever they could be made valuable.

The accompanying diagram will elucidate more clearly the position of the rocks included within the range of country under consideration. The section is projected on a direct line from San Pedro to the City of Los Angeles, and is intended to give a supposititious position to the rocks beneath the surface, as deduced from an examination of their out-crops for several miles along the borders of the plains on both sides.

The capital letters, A. B. C. D. are levels at which the Los Angeles River flows, at different points north of the City.

- A. being 14 miles,
- B. " 11 "
- C. " 5 "
- D. " 2 "
- E. Station staff at San Pedro.
- F. Old Fort near the City.
- G. The City.
- H. A spring on the hill back of San Pedro.
- I. San Pedro.
- J. Banningville.
- K. Outliers of gravel drift on the hills back of the City.

The numerical figures represent the rocks and their coverings and outcrops.

- Nos. 1. 1. Infusorial sandstone 322 feet above tide.
- " 2. 2. Infusorial clay.
- " 3. 3. Clay slate.
- " 4. Calcareous Shales.
- " 5. Bituminous Shales.
- " 6. Bed of gravel drift between beds of clay.
- " 7. Blue clay above.
- " 8. Blue clay and sand below gravel.
- " 9. Heavy bed of blue clay containing marine fossils.
- " 10. 10. Probable position of stratified rocks beneath the surface.

In the diagram at the point marked I., we find a constant but small supply of water; this supply issues from between the beds 7. and 8., and follows the course of the deposit of sandy gravel drift marked 6. in which water is usually found. On the summit of the lower hills marked K. K. is found this drift in sites, forming outlines of a larger bed which formerly existed, and which has been removed by denudation, and deposited farther down upon the plains as in the case before us.

At no very distant day the Los Angeles River has flowed to the north of the City, and was undoubtedly the principal agent, concerned in the removal of the drift beds. Very unmistakable evidences are observable of changes of this char-

acter having taken place several successive times in years past, and recently. It has changed its course a distance of three or four miles. It is now producing the same effects upon the high terrace to the southeast of the City, as it has already done farther to the northwest.

SOILS AND PRODUCTIONS OF LOS ANGELES

The soil and productive capacities of these plains will now be considered; for in these alone consist the present and prospective value of these lands. Referring back to the rocks composing the mountain chain, which forms the northern borders of these valleys, we can readily infer what would be the constituents and general features presented in the coverings of the plains. The diagram exhibits two distant terraces, the lower one occupying a little more than one-third of the transverse extent of the plain, the upper terrace holding a much greater inclination from the borders towards the centre, and the whole having an average grade of about 13 feet per mile from datum to the level of the City. On examining the hills either at San Pedro or between the City and the mountains, we shall find most distinct outlines of other terraces rising above the levels of these plains, to the number of two or three, beyond which this characteristic is not clearly defined.

These terraces play an important part in modifying the characters of the soils upon the plains adjacent, and as a consequence affect the productive capacities of the lands as far as their direct influence extends. A peculiar and striking feature found in the soils of these plains is, that even to the base of the mountains or their foot-hills the components of the earth are found as finely comminuted as at any point near the centre, or upon the lower alluvial bottom in the vicinity of the settlement known as Banningville.

Along the northern base of the low mountains of San Pedro the same features occur, and as far toward either extremity of the plains as an opportunity offered for an examination, this peculiarity presented itself. From the great preponderance of the primitive rocks (and those mostly granite,) in the mountains, and from which the soils of these plains have been derived, we should *a priori* have been led to suppose that a coarse, harsh and almost worthless range of country lying at their base would have been found, but quite the reverse of this is true, and a soil both soft and mellow covering these plains is found in its stead. It is very doubtful if a soil more fertile, and capable of greater production, is to be found anywhere along our Pacific coast south of the Isthmus of Darien, independent of the influences of climate. The depth to which this soil extends below the surface ranges from 18 inches to six feet—the average depth is about 3 feet; the color is usually of a dark grayish brown when dry, and on close examination it is found to contain a great quantity of decomposed vegetable matter, consisting of the dead roots and stalks of its indigenous productions. In many places it would remind a person of some of the rich moulds formed in small quantities in the ravines of hills producing luxuriant vegetation. On the lower bottoms this soil is mixed with a fine micaceous sand which renders those districts highly fertile. It is upon these lands that the major part of the extensive grape crops of this County are produced; and a mere inspection of the ground alone, when free from moisture and unconnected with the crops it is capable of producing would be very apt to be considered unproductive and worthless. On these lower bottoms and beneath the soil there is found a bed of stiff blue clay; (7. Diagram) when the waters are turned off from this earth, and the sun is permitted to dry the surface, a white efflorescence is often observable over con-

siderable areas. This efflorescence consists of the salts of potash and soda, the nitrate of potash forming an important article in the crystallization. In other parts of these bottoms the principal salts thus found upon the surface are composed mostly of the carbonates of potash and soda, and much smaller proportions of nitre. It is a singular fact that on many of those lands covered by these salts in such quantities as to give the earth a white appearance, plants and vegetables requiring much nitrogen for their healthy propagation are found to flourish far better than upon many other apparently more favorable portions of these valleys.

The active fertilizing agents contained in the lands of these plains have been derived from two sources; first the alkaline salts from the decomposition of the primitive rocks, (the granite furnishing the soda and potash, from the segregation and subsequent destruction of the felspar contained in them;) secondly, the lime and nitrous constituents have been derived from the marine fossiliferous rocks resting upon the former; with the destruction of mammalia which were abundant in the earlier periods of the Miocene tertiary. The greatest proportion of the latter salts, however, were probably derived from the marine Mollusca which undoubtedly lived and died in the materials in which we now find remaining imbedded, and as these remains constitute large beds of rocks at the present time, we should find them fully adequate to produce the fertilizing salts above mentioned.

The great amount of vegetable matter intimately commingled with these salts and earths upon the surface of these plains, it will be seen would render this district of country capable of an abundant production, and whether applied to agriculture or horticulture, or to its present grazing uses, it will still be found capable of supplying even in its unimproved natural condition a sufficient sustenance for ten times its present numbers of flocks and herds. A very small amount of artificial aid in the improvement of these plains would add greatly to the richness and expansion of the pasture grounds, and would prevent the present necessity for the wide roaming now so prevalent among the stock which is placed to graze in this broad unfenced surface of country. One example of the rare capacity of these soils is exhibited, both in the higher and lower plains of this and the adjoining counties, in the luxuriance of the growth of the native productions. Among the indigenous growths, is a plant known as the "*Burr Clover*," which spreads over the valleys and up the sides of the hills; this plant produces a great quantity of seeds in its small "burrs," which, as the stalk dies, is distributed upon the ground, at times covering it to the depth of a half inch. (Allusion was made to this plant in my report of last year when speaking of the productions of the Salinas Valley.) The cattle and horses find in this seed a nutritious food upon which they subsist during the dry season, and of which they seem to be remarkably fond, whilst their fine condition after living upon this alone, attests the cereal richness of its qualities. The traveler unacquainted with the ground over which he is passing would be both puzzled and surprised at the fine appearance which the herds present, especially when he is informed that the apparent desert upon which he sees them is all they have upon which to feed; for in passing over a district of country on which not a blade of grass or any other edible plant is visible for miles, and the surface of the ground has more the appearance of a burned prairie than any other, being of a dark ashy gray color, no stranger to the nature of our soils and seasons would for a moment suppose the land could be ever applied to any valuable use or cultivation. The color of the surface is that of the seed mentioned, which, as before stated, covers the ground in great quantities. This fact alone would be a sufficient evidence of the fertility of these plains did no other exist to which we might refer, and it is to be much doubted if any other part of the world possesses a degree of fertility to that extent that

the seeds of its indigenous productions alone scattered broadcast upon the plains are capable of supplying with nutriment over 100,000 head of neat cattle and 20,000 head of horses, with sufficient to keep them in the best marketable condition for months without resort to other subsistence. The stock of these plains at the present time, is not over twenty-five per centum of that which they probably maintained some six or ten years since, and for which there was always an abundant supply. Those only who are familiar with this part of the State can fully appreciate its productive capacities, and they can be realized only by visiting and subjecting its natural resources to the strictest scrutiny; this done, and I have no fears but the above remarks will be fully endorsed by all who make the investigation.

The culture of grain upon these plains warrants the most sanguine anticipations, and so far as the experiment has been made, the yield has been largely above the average crops of the more northern districts, and should success attend the experiment of the introduction of water for irrigation, full thirty per cent of these plains may be applied to the rearing of cereal crops, and leave a large margin still for pasturage.

The advantages of water near or on the surface in this section of country is manifested in the experimental crops of last year on the "*Monte*" a few miles east of the City. The corn crop of this locality, comprising about 1800 acres, was immense in its yield as in the size of its stalks; a large proportion of it was planted late in the season, but notwithstanding this, the ear was full-formed and well filled in the month of October, and the crop still in the silk. It was no uncommon circumstance to find six full ears on one stalk, and the number of four was much more frequent than any figure below it. I think that it may be safely estimated that the *Monte* lands will yield an average crop of sixty bushels to the acre.

These facts are noticed more particularly as corroborative of what has been advanced respecting the fertility of this line of plains, and with evidences such as have been adduced on so grand a scale as a mere experiment, there seems but little room left to doubt the high qualities for production which these lands will exhibit, should they be tilled with judicious management.

We come now to the consideration of the exotic productions of this part of the State. The position of the mountain chains which separate this part of the State from the districts north of it, their trend and altitude are productive of far different climatal conditions from those noticeable in any other portion of the country. After passing Point Conception upon the coast, or crossing the last ridge of the San Bernardino chain, in traveling from the north, the traveler is ushered into a widely different climate from any with which he has before become acquainted. The atmosphere is entirely divested of that harsh coldness which is found on the seaboard and to some distance in the interior, and at the same time is unaccompanied with that scorching heat incident to the plains and valleys situated among or lying to the east of the ridges comprising the coast mountains or their spurs and ranges. From these circumstances it will be seen that a different class of products would naturally be found, and that exotics of a more southern nativity would flourish while their destruction would be almost certain beyond this chain. First among the exotic growths of Los Angeles, is the sweet orange; this tree is found to flourish well without any artificial protection from the atmosphere, and attains the height of forty feet, and in some cases even more than this; its fruit is fully equal to any imported article which has yet arrived in this country. The tree produces bountifully, and is in fruit throughout the whole year. The fruit is generally large and plump, with the pulp well filled, there is not the slightest evidence of anything uncongenial connected with its appearance, it may be said truly to have become habituated to our climate, or to have found in it the kindred qualities of its own tropical native home. I have seen the young tree of two years from the seed producing full, well matured fruit. During the palmy days of the old Missions, they were in the habit of culti-

vating somewhat extensive groves of these trees, but since their decline, the trees and their culture have been neglected, and the groves in many instances cut down. It is a pleasing fact to know that the attention of American citizens resident in this portion of the State are turning their attention to the propagation of this delicious fruit, and it will be but a very few years before our markets will be supplied from domestic sources entirely. In the Cities of Santa Barbara and Los Angeles and the adjacent Missions I have seen the orange tree forty years old, and in some few instances much older.

The citron is also another fruit belonging to the same natural family, and was formerly cultivated to a considerable extent, and flourishes well at the present time. I have seen this fruit in the gardens of private residences growing to the size of six inches in length by three inches in diameter, its weight could not have been less than two pounds.

The date tree, fig, pine, apricot, guava, pomegranate and kindred fruits find a congenial climate, and a soil adapted to their successful cultivation, and are to be met with at several points in this section of the country. No attempt, so far as I have been able to learn, has as yet been made to produce the pine-apple, although the climate and all other concomitant conditions of locality essential to its culture abound. Some experiments have been in the culture of tobacco, which have proved highly successful and satisfactory—the Cuban variety is found to flourish as well here as upon its native soil: the great consumption of this article in California will render its cultivation an object of some considerable importance, and as so little care and labor is necessary in rearing it here, it is more than probable that but a few years will elapse before it will find a place in our commercial tables, as an article of home production, and perhaps of export.

The climatal conditions of these plains, and the adaptability of their soils are such that we may reasonably expect, ere a few years shall pass, that cotton, coffee, tea, sugar and rice, the four latter articles particularly, will find a place in our catalogues of home productions, and the only impediment that now stands in the way of their immediate production, is the high price of labor which is consequent upon the sparseness of population. The unoccupied or rather unimproved lands extending from Point Aguilla to San Diego on the land of the coast, and into the interior for distances varying from twelve to fifty or sixty miles, and the extensive valley ranges beyond the first and eastern line of ridges of the San Bernardino mountains offer strong inducements to the immigrant and settler who may be seeking a permanent and agreeable home, and who wishes to cultivate the soil as a means of livelihood and source of profit. To such this district of the State furnishes an ample field for his operations, and equally profitable with any other portion of our wide domain.

MINERAL PRODUCTS OF LOS ANGELES, &c.

A brief review of the agricultural capacities of the soils of this part of the State has been given, and I would say in this connection, that in these particulars lie the strength and principal value of the lands throughout the district generally; the mineral resources of this range of country so far as examined, being comparatively of little value.

The transverse chain of the Pacific coast (San Bernardino chain) appear thus far to act as a barrier, and to have cut off almost completely the rich mineral deposits found in the mountains of the more northern sections. There are a few localities, it is true, where auriferous deposits of limited extent are met with, but no general features which would in the slightest degree indicate that they extend over any considerable areas. So far as I have been able to learn, both from personal inspection and information derived from others of localities which I have not visited, I entertain the opinion that no extensive deposits of gold will be found south of these mountains, and few, probably, that would warrant mining exploration. There are some evidences existing that silver may be met with in the southeastern spurs of this chain, but to what extent is yet undetermined. The limestone rocks of the Armagosa, and the granite and quartz of this section, contain both gold and silver, but they are situated to the north of this chain, yet the *gypsum beds* found near their southern base and on the southern part of the Colorado Desert are found to contain gold in small quantities, not sufficient, however, to pay for working. The predominating metaliferous rocks of these mountains, so far as known, consist mostly of copper containing lead and silver; the heavier quantities of these ores lying upon the Rio Santa Clara, in the County of Santa Barbara. Bismuth and iron are also met with in these mountains, the former to a limited extent, the latter more generally disseminated and forming small veins among the primitive rocks. Both of the latter minerals are found in the immediate vicinity of the Mission of San Buenaventura, and the former (Bismuth) in the mountains near the coast in the vicinity of the rancho Guadalupe. The principal mineral products of these counties, of any commercial importance, are the beds of sulphur; they commence in the County of San Luis Obispo, and through alternate distances of two to six miles, extend to the County of Santa Barbara, and northern part of Los Angeles. The larger proportion of these beds lie near the coast, and form the investing surface material of those volcanic vents found upon this part of the coast, and which have been alluded to in the preceding pages of this report. These sulphur deposits will, at a future day, be worked with profit when the demand for this article shall exceed that of the present time, and still I think the present demand is sufficient to warrant the investment of capital in this quarter, where the mineral is found in sufficient quantities to render the working of its mines a lucrative operation.

The appearance of magnetic sands among the drift found in the beds of the arroyas led me to the supposition that gold might exist in their connection, which, upon examination, was found to be the case, although in very trifling quantities. The same thing was found to exist upon the beach three miles southeast of Santa Barbara. This metal was probably derived from the heavy gravel drift which is found in the immediate vicinity.

Bitumen is another of the more abundant mineral products of this portion of the State, and is found in very large quantities. This article is available and well adapted to the manufacture of gas for the purposes of illumination, and will probably be used to considerable extent in this country, the only practical objection to such a use of it, being the fact that no valuable residuum is left in the retort after the extrication of the gaseous constituents; as this mineral yields a much greater volume (be-

ing nearly double,) of illuminating gas, than any other in use, it is very questionable whether it would not be equally profitable from this circumstance. In the use of coal, we have the coke remaining which may be applied as an article of fuel, but the value of the latter in the market would probably be counterbalanced, by the increased volume of illuminating matter contained in the simple bitumen. The expense of transportation of coal from distant regions must very materially enhance the price of the commodities resulting from it, but in the use of the asphaltum upon our coast, this heavy item would, as a necessary consequence become materially diminished. The only real objection to the introduction of the latter article for the above purposes is that there may not be sufficient quantities of the mineral obtainable for so extensive uses as would be required; this is a valid objection, and should be well considered before entering upon a speculation of that kind; from what is already known of these beds, they certainly have the appearance of being adequate to the supply of any ordinary demand for those purposes, as they are frequently to be met with covering many acres of ground. This fact however in regard to quantity can only be determined positively by clearing one or two of the larger springs, and thus ascertaining the actual amount of the mineral discharged per day or per week, and should it be found anything near adequate to the demand for gas manufacture, its collection and transportation at fair rates of prices, will form a much greater source of revenue to this district than the entire cattle trade of these counties at the present time. A little attention to this subject will convince us that a heavy and lucrative business may be conducted in this department of trade, if the necessary measures are adopted to bring this element into practical notice, for as stated in the preceding pages these springs extend from the county of Santa Clara to San Diego, and most of them near the coast.

To illustrate more fully the advantages to be derived, and the extent of business that now lies untouched in this particular, it will only be necessary to allude to the quantity of coal required for the purposes of illumination at present in this State. The requirements for the city of San Francisco is about 5000 tons per annum, at an average price of 22 dollars per ton, equal to 110,000 dollars, the demand for Sacramento is equal to about 2000 tons, which at the same price equals 44,000 dollars, the total amounting to 154,000 dollars. Allowing the coal to produce, (which the best quality will,) about 1100 pounds of coke from the ton of coals, the value of the coke as sold here, at about 62 cents (high price,) per bushel, will yield a return upon the original cost of a little more than twelve dollars per ton, or a sum total of nearly \$87,000. This estimate is based on the product of the Scotch coal, the specific gravity of which is but 1.27. The Asphaltum of this State has a specific gravity of about 1.62, the difference in the excess arising probably from the earthly matters contained therein.

— There cannot be less than 4000 tons Asphaltum lying upon the surface of the ground in the counties of Los Angeles and Santa Barbara alone, within a few miles of the coast at the present moment. Its value delivered in San Francisco would not be less than sixteen dollars per ton, equal in value to 64,000 dollars, and this amount alone would offer sufficient inducement to embark in the enterprise independent of any other consideration. The amount lying upon the surface in other adjacent counties is probably equal to the amount in those specified, so that 8000 tons would be a safe estimate to place upon the quantity already available.

The analysis of this mineral exhibits the following available constituents for the manufacture of gas; in one hundred parts there is found a a limpid oil equal to thirty per cent, and the same amount of charcoal with a large per cent of ammonia, the balance consisting of earthly matters and water. Here then we have 60 per cent of the gross weight applicable to immediate use, the charcoal holding the same relations to the bitumen, that exist in the coke to the coal. That the supply of this article is abundant, there can be but little question and fully equal to 5000 tons per annum, (the requirements of the State will not fall short of this figure for years to

come,) equal in value, at 16 dollars per ton, to 80,009 dollars, and should it possess no more than an equal amount of illuminating matter, it will be seen that it will be far more economical than the present use of coal. The only, or rather the principal question asked by those interested in gas manufacture, is this, is there a sufficient quantity to meet the demand for 3000 tons per annum, in other words, if there is a sufficient quantity, is there every evidence of quality also to make it a reliable resource?

The proper opening of these springs would undoubtedly furnish an ample quantity of the mineral, and if the business should be judiciously managed, it would prove lucrative and permanent. It is to be hoped that this brief allusion to this subject, may elicit attention from those who are intimately acquainted with the localities in which it is found, to its proposed value, as well as to the quantities which may be supplied.

Limestone is found in considerable quantities among the higher hills of this part of the State. Without any exception I believe it is primitive, and the greater part of it possesses a high crystalline structure. It is well calculated for the manufacture of lime, and proportionately less fit for any other application to building purposes.—The granites which form the principal basis of these mountains, is usually of a hornblendic character, often running into true Sienite. It is ill adapted to purposes of building, both from its constituents, and its general consistency, and it is generally in situations remote from navigable waters, a fact which forbids at present its transportation for such purposes, even were it found to be of a better quality.

I have thus given a general outline of the geological characteristics of this part of the country, and the more prominent economic adaptations of its resources, which may be derived from them, by the enterprise of our citizens, when the industry of the people, as well as their capital shall be invested in their development. It would be incompatible with the limits of an abstract report like this, to enter into the minutiae of the more scientific details which might naturally be drawn from so abundant a field of investigation. I have thought it advisable in this as in former reports therefore to omit them, with a view to furnishing such as may be deemed useful, together with accompanying illustrations, in a final report of a more complete form in detail, upon the geology of California.

In the appendix of this report will be found a catalogue of the fossils, minerals and specimens representing this portion of the country, less full however in detail than that which will hereafter be presented, when they can be systematically arranged so as to convey a clear idea of their relative ages and positions.

With these remarks on this part of our subject we will now leave it for the purpose of turning our attention to the more northerly and equally interesting portion of the State.

COUNTRY NORTH OF THE AMERICAN RIVER.

The district of country lying north of the American River was entered upon in the early part of October. The examinations were carried through the upper portions of the county of Yolo, through the west part of Placer, through Sutter, and crossing the Feather River, was pursued through the counties of Colusi, Shasta, portions of Trinity, the eastern part of Klamath nearly to Siskiyou. Returning to the southward again, the eastern side of the River Sacramento was followed, through the counties of Butte and Yuba.

I shall confine myself first to the observations made in the more exclusively agricultural portions of this part of the State, and subsequently to the mining counties beyond and upon the upper sections of the Sacramento River and Valley.

What has been said of the physical geography of the mountains forming the borders of the great valley is equally applicable to a large part of that section under consideration, and wherever any material differences occur they will be noticed in the course of our remarks upon this region. The lower bottoms of the Sacramento Valley, over which the principal traveled road now runs, have an ascending scale of about five feet per mile from the city of Sacramento to the junction of the Pitt River, the distance between these points being about the same as that between Sacramento and the town of Shasta, and nearly on the same level. The principal agricultural lands of this part of the valley lie upon these bottoms, which in the county of Colusi are often of several miles in width on both sides of the river. As we advance towards the coast mountains in this county, and also in the south-west part of Shasta, we immediately enter upon an elevated plateau, which apparently extends to the base of the mountains to the west. This plateau, or more properly speaking, middle terrace of the valley has an ascending grade towards the mountains much more rapid than the lower bottoms, its altitude above the latter varies from 60 to 70 feet, and the ascent to its top is usually quite abrupt. As this terrace advances towards the west, another table is seen to ascend from its surface, exceeding this middle terrace in height, beyond which the heavier rolling hills, constituting the base of the coast mountains commence, and which in a short distance terminate in rugged and elevated ridges.

Throughout the county of Colusi, and also for a short distance and to the south part of the county of Shasta, this middle terrace contains a large area of arable land, differing materially from its equivalent in the more southern portions of the same valley producing there but a limited vegetation and being composed of coarse, harsh gravelly soil. These peculiar characteristics of the middle section of the plain are carried southward from the vicinity of Red Bluffs for a distance of ninety miles, when they gradually come to partake of the sterile features above noticed, and which are carried into the western part of the county of Yolo, on the same line of elevation above tide level.

On this middle plateau is situated some of the best land for farming purposes to be found in this part of the State. The soil has been derived from the mountains of trapean rocks which constitute the eastern ridges of the coast chain, and is composed of a soft loam mixed with little sand, and the detritus of a few of the slate rocks which are found in comparatively small quantities along the base of these ridges. The almost total absence of the granitic rocks, which are usually productive of harsh, dry and uncongenial soils, unless modified by particular local circumstances, and the admixture of the extensive limestones which stretch from across the Pitt River and appear in the mountains to the west renders the lands of these counties peculiarly adapted to the culture of the grain and root crops, and desirable to the farming population of the country. The constituents of these lands renders

them valuable, for the culture of fruits. They contain all the elements necessary for their healthy and successful propagation, with the advantages of an extensive market, which is immediately surrounding almost the entire section. The advantages presented by nature are not entirely overlooked by the inhabitants in this part of the State. This is apparent from the fact that flouring mills have already been erected, of capacities much greater for grinding than those which have been seen in other counties.

The county is as yet but sparsely settled, but an examination of the character of its lands, and of the inducements it will present to the strict agriculturalist, will lead to the most favorable conclusions respecting the future appreciation and settlement of this district. Its capacities for the production of the cereals and also extensive corn crops, were evidenced during the last year, in which we find that the reputation which this district had acquired for the rearing of these products, was fully sustained.

The lower bottoms of this part of the valley present a somewhat anomalous feature in their native productions compared to their equivalents farther to the south. It consists in the forest growths which extend for miles from the banks of the river. On the bottoms below Tehama, the oak, maple and other trees which skirt the banks of the stream usually extend but a very short distance back into the flanks of the valley, never I believe reaching in any instance the foot of the middle terraces. At the distance of about twenty miles south of Tehama we first enter the valley forest (for so it may be called,) which continues to increase both in density and extent as we approach the upper end of the valley, and soon after passing Red Bluffs it is seen to extend from the base of the coast mountains to the Sierra Nevada. The greater part of the trees are situated upon the middle plateau, and extend themselves into the upper tables and thence into the foot-hills of the mountains where they soon become commingled with the pine and other trees of mountain habits. The trees growing upon these lands offer a good criterion to judge of the character and condition of its soils on which they are found. They exhibit to us the fact that the soil possesses those elements which are necessary for the propagation of the cultivated trees, and which can be made doubly useful in supplying woods, either for building, for fuel or other purposes, and the production of fruits, at present a great desideratum in the State of California.

This part of the State has every appearance of possessing superior advantages for the culture of the northern fruits, the apple, peach and pear, either or all of which would find here a soil and climate congenial to their healthy and luxuriant growth.

Before dismissing the agricultural districts of the upper Sacramento, I would call the attention of the residents of this part of the State, to the means of irrigation which may be advantageously used in this district. All the streams which issue from the mountains, lose a great part of their water before they unite with the main river, and in some cases, it has been found that the waters of these streams were entirely absent from their beds for miles above their junction. When this is found to be the case, and even but a small district of valley lands intervenes between these points where the waters thus disappear from their surface channels, there will usually be found between the main river and the sink, some point at which the waters issue from beneath the surface, which is manifested in these cases by small lagoons, swampy ground, and wet places, none of which are usually of any great extent. This fact has led me to suppose, that a clay bed might probably exist beneath the superficial soils, which is nearly impervious to water. This upon examination has been found to be the case. The limited superficial discharge of these waters, is accounted for in a sandy admixture which is found in the clay, and which of course would admit a much freer percolation of water, than the compact clay alone would allow; the natural inference from which is, that by far the greatest pro-

portion of the waters which flow through the tributary streams of the northern Sacramento, pass beneath the surface of the valley and emerge from the same many miles distant from the places of their disappearance. As the structure of this basin will be examined more in detail in another part of this report, further remarks in relation to this part of our subject will be dispensed with at this time.

MINERAL DISTRICT OF THE UPPER SACRAMENTO VALLEY.

We come now to the consideration of the mineral resources of the Upper Sacramento Valley. The upper portions of this valley lie for the most part on the east banks of the Sacramento River, with the exception of a small section above the junction of Clear Creek, on the west side of the main stream. The southern boundary of what may be considered properly as the Upper Sacramento Valley (and which is mineral land for nearly its entire extent,) I have proposed to comprise within the range of mountains, crossing the Pitt river and forming a part of its southwestern banks, on the north, and the junction of Cow Creek on the south. This district will have a line of distance from north to south of about thirty-five miles, and a breadth of fourteen miles lying immediately north of the emigrant road leading from Noble's Pass, and entering the Sacramento Valley.

In passing across this section it was found that a large portion of the area included was a placer district, similar in most respects to the equivalent ranges on Butte Creek, and extending southerly through Long's Bar on the Lower Feather River, which is also observable in the vicinity of Camp Far West, on Bear River, and thence on to Rhode's Diggings, in the County of Sacramento.

Within this area there is at the present time a large mining population, and three considerable mining towns have been built up by the enterprise of that portion of our people who arrive annually by emigration across the territories and enter the northern parts of California through Noble's Pass, also coming through the American Valley. In the middle portion of this district there are situated some of the most extensive auriferous quartz leads, of any to be found in any part of the State, and from which the gold found distributed through the soil is derived. This entire district may be said to constitute a single large placer embracing an area fully equal to two hundred square miles, and probably the largest uninterrupted placer to be found in this country. The situation of this plain, enclosed as it is by high mountains on three sides, renders a climate mild and agreeable, with the exception of a short time during the dry season, when like all valleys in this country, the temperature becomes somewhat elevated.

This placer range extends in a northerly direction beyond the Pitt River, on which stream the mining town of Pittsburgh is situated; it is said also to extend up McLoud's Fork, the principal northern tributary of Pitt River; of this, however, I am unable to speak from personal knowledge. I think there is no question but such is the fact, for my informants were men on whom reliance could be placed in matters of this character. In this district as in many others in the State similarly situated, scarcity of water is the most serious impediment in the way of the miner in seeking for the profits of his occupation as well as to the general growth and progress of the country. And wherever an ample supply of this agent is furnished for mining purposes, the Upper Sacramento will give abundant employment to a large and busy population. I think there is no hazard in expressing the opinion, that this placer alone exceeds in area the aggregate of all the other known placers of Shasta County, in which it is situated, and is capable of giving employment for many years to four or five thousand men.

I consider the mining sections of this county equal in value to those of many

parts of El Dorado, Placer and Nevada as they existed in the years of 1851-2-3. They are much in the condition in which the flats and ravines in those counties were during those years, and which, since the introduction of water by canals, have yielded vast sums of gold, and such high remuneration for labor.

These mines are as yet almost untouched, and they require only that stimulus which has been applied in other counties to the south, to bring them into immediate use and occupancy. The rapid ascent of the Sacramento River after it enters the cañon immediately above the Upper Ferry is such that any amount of water would be easily obtained by diverting a portion of the stream, and carrying it by canals or ditches to the west of the river to be distributed among the high flats to the west from the town of Shasta, which flats abound in auriferous deposits similar to those of Middletown, Briggsville and other localities. A distance of six or seven miles from the mouth of the canon would give sufficient altitude to carry the waters nearly as high as the summit of the hill on which is situated what is known as the Upper Springs, and within the town of Shasta.

A distance of three or four miles above the first settlement on the plain east of the river, the waters of the Sacramento may be diverted to any extent that might be requisite, and in quantities sufficient, if required, to nearly inundate the upper plain on that side of the stream, and a natural channel may be found of sufficient elevation a portion of the way, to convey the waters over the undulating hills on the southern and middle portions of the prairie beyond.

The inducements for the investment of capital in mining operations which offer themselves in this immediate vicinity are unsurpassed in any county of the State south of this point, and it is a remarkable feature in the history of this district that they have not attracted that attention which their intrinsic merits suggest.

GEOLOGY OF THE NORTHERN COAST MOUNTAINS.

The term Northern Coast Mountains is used in this case for the purpose of separating a portion of this district, which differs materially in mineral aspect from any other part of this chain south of the County of Colusa. The counties of Humboldt, Klamath, Trinity, Shasta, and the southwest part of Siskiyou, if not the whole of the latter county, are situated in this part of the chain, and which collectively form a portion of the mineral districts of this State. My line of travel did not extend sufficiently far north to determine with certainty what portion of the mountain district, in the northern part of the State should strictly constitute the coast chain. But from what evidences there are in our possession at the present moment, respecting their peculiar disposition, the presumption is strong that even Mount Shasta belongs to this chain, in place of its forming a part of the Sierra Nevada as heretofore believed. This will prove to be the case, provided the Cascade range which extends through Southern Oregon is found to be a continuation of our coast chain as is now supposed.

In this case we shall have the Sierra Nevada terminating at Lassen's Peak, or rather at a point not farther north than this mountain, and the structure of the county extending northward from this towards the southern line of Oregon fully warrants such a conclusion. North of Lassen's Butte there is not a mountain to be seen on the line of trend of the ridge country, which consists apparently of low, flat table lands, similar in structure and appearance to the table hills north of the main Feather River or those which extend through the southern, western and northern parts of the Counties of El Dorado, Placer and Amador, as we approach the plains from the mountains in these several counties.

The only mountains in this part of the State are those belonging properly to the

coast ranges, and of these Mount Shasta forms probably the line of eastern limit; its distance from the sea is a due west line not exceeding seventy miles, being a much shorter distance from the ocean than many parts of the same chain situated farther to the south.

The mountain districts of this part of the State are divided by bold and rapid streams, and as a consequence, are designated by local names which serve to fix their geographical and relative positions, forming the boundaries of counties and the lines of water-shed, which unite with the ocean at widely different and distant localities. Thus we find the waters which flow into the Sacramento separated from those which flow into the Klamath by the range known as the Trinity Mountains, the latter river draining a portion of the waters belonging to the Great Basin, and which rises east of the Cascade range.

The rocks which comprise this part of the coast mountains are made up mostly of the primitive group, and simulate in almost every particular with those found in the mining counties of the Sierra Nevada, and also the southern portions of the coast chain. In the eastern and middle districts of this part of the mountains, the sienites and other members of the granitic series are largely predominant, and commingled irregularly with them, are found the serpentine rocks and their derivatives, consisting of the talcose and chlorite schists, alternating with all the other members of the primitive group.

Resting upon these we find the slates of an argillaceous origin frequently disturbed and maintaining every conceivable degree of inclination, as in the other mining counties of the State, but still holding their parallel with the mountains in which they are situated, which is observable elsewhere, and the same line of strike or linear direction. The constancy and regularity of the strike found in these rocks at such remote distances from those of the southern range of mining counties leads us irresistibly to the conclusion that they belong to one and the same period and co-relative age, having their origin from the same class of rocks as those of the other sections. The subsequent igneous intrusions which have disturbed the one are found to be of the same character as those which disturbed the other, and have apparently acted with the same force and at the same time with those of the Sierra Nevada. The intrusions of quartz dikes and veins appear equally as numerous and well defined as those found in any other part of the State, and even much more extensive than many of those observable in the midland counties. They simulate more closely with those veins found in the counties of Tuolumne, Calaveras and Mariposa.

In the depressions lying between the principal divides of the various rivers, the heavy drift deposits are met with; in some localities they extend to great depth, as in the vicinity of the town of Weaverville, they have been found to the depth of nearly five hundred feet, which was proved by the sinking of the deep shaft near that town. This drift, or the greater part of it at least, has all the evidences of having been deposited during the tertiary epoch, the manifestations of which are found in the great amount of the impressions of dicotyledonous leaves, many of which are apparently of present existing species found growing in the neighboring mountains; the silicified woods and lignites all present the same general features.

This district is peculiarly interesting from the great amount of drift deposits which are present in many localities, and the character of the organic remains contained in it is well defined, and will probably be the means of modifying our opinions in some measure, relative to the probable age of the drift deposits of the different portions of this State. There are apparent grounds existing, (which, however cannot be fully demonstrated at the present time) that these drift beds are assigned to two distinct periods of the tertiary era, but more time and further examination must be had before this point can be satisfactorily settled. In an economical point of view it matters but little to which of the two periods, either of them may

belong, so far, at least, as their mineral products are concerned, for the deposit in whatever portion of the State it may be found (except south of the San Bernardino Mountains) is highly valuable for its auriferous accompaniment which is generally found throughout the whole of it in general distribution.

The drift beds are found extensively dispersed through the northwest part of the State, and are found much elevated on the flanks of the ridges as well as in the depressions between them. In this particular they simulate with the extensive and wide-spread placer ranges which traverse the mining districts from the County of Plumas to that of Calaveras, and thence through Tuolumne and Mariposa. From their general character, so far as they have been opened and examined, (which has been but to a limited extent) they present all the physical and integral features which have hitherto warranted our conclusion respecting gold deposits within our borders, and which have guided to those practical proofs, by opening the mines, which have developed to us the natural hiding places of the immense resources of wealth which abound in our State. There is every reason to believe that those drift beds situated in the northern coast mountains are equally as valuable, and will, when worked, prove as abundantly supplied with gold as those of Sierra, Nevada, Placer and El Dorado Counties. This opinion is based on the fact that the deposits on the flanks of the hills in the coast chain are co-relative in age with those of Minesota, Mameluke Hill and White Rock, in the Counties of Sierra and El Dorado, their fossils being identical, and their elevation above the sea about the same.

The outlines of these beds begin first to show themselves as well defined formations on the east and west banks of Clear Creek above Frenchtown, and also on French Gulch, in the County of Shasta, and are distinctly traceable from these localities across all the rivers lying to the north and west of this creek as far west as Salmon and Scott Rivers, and on the hills forming the sides of all the larger basins lying between these points; the great Weaverville basin furnishes one of the best examples of the kind in this part of the State, and is observable on what is known as Musser's Flat to the northeast of the town. It is similar in all respects to the localities in Nevada County, in the vicinity of Moore's, Orleans and Eureka Flats, opposite to Minesota.

LOCAL GEOLOGY.

The local geology of the Northern Coast Mountains presents but little diversity from the other mineral districts of the State, and as a general fact the rocks maintain that uniformity of character which is found to exist in almost every locality within any given area.

The first locality that will claim our attention is that of the middle and northern with the eastern part of Shasta County. Nearly as soon as we leave the valley, and among the first foot-hills the slates are met with standing in nearly a vertical position. This trait, however, extends but a short distance, and we are suddenly introduced from the fossil clay slate into a district in which the latter is most completely metamorphosed. This is found to occur within two miles of the point at which these rocks maintain their true laminated character of the slates. In the immediate vicinity of Shasta City, the changed condition of these rocks is noticable and directly east of the town, the intrusion of the igneous is presented on an extensive scale. On the hill opposite to the City the intrusive rocks have broken through each series that preceded them, and we find the slates in the immediate vicinity of the trapezoid dikes, most completely changed into true jaspery rocks. To the east and north of the hill we meet with the first beds of the serpentine rocks which have

been disturbed by the same agents which have disturbed the slates; this bed of the primitive group extends in a northerly direction about six miles, and is flanked on the west by the sienites and granites, and on the east by the older trap rocks. Among these serpentine rocks are frequently to be seen small veins and also large dikes of auriferous quartz running parallel, which will be seen from their course to correspond in trend with those of the more southern part of the State, and this general characteristic belonging to these latter rocks (the quartz) was found to prevail as far north as my observations extended.

Nearly all the quartz dikes of this part of the State are situated in the serpentine rocks, and it is rather an exception than otherwise, to find them associated with other series of veins of any considerable magnitude. There are but very few exceptions to this rule, and when these dikes are found to occur in other rocks, the investing walls are usually granite. The predominance of these veins among the class of rocks alluded to, fixes to a certain extent their probable age, and like the dikes of the counties of Nevada and Amidor, come under the classification of former reports in which they have been arranged as primitive, in order to separate them from a class similar in constitution, which appear to have been intruded subsequent to the deposition of the slates.

Up to the present time, there have not been observed any extensive quartz ranges which have the appearance of having protruded through the slate formation of this part of the State. I have heard of two localities of this character, one of which I have subsequently visited, but found on examination that the *Slate* belonged to the stratified rocks of the primitive series, and were almost exclusively talcose schist. In those localities where opportunities occurred for the examination of the trapean rocks which were found adjacent to these dikes, they presented the same appearance and evidences of having broken through that class of rocks.

This is manifest in nearly every vein to be met with for the distance of five or six miles from Shasta City, and is particularly well defined in the vicinity of what is known as the Quartz Mountain, eight miles north-east of the town and on the head of the Sacramento Valley. From this brief outline of their general features and associations, it is difficult to form any other conclusions than those at which we have above arrived, respecting their strictly primitive character; and as such, when found to be auriferous, they are discovered to be equally valuable with those in other parts of the State. In traveling north-west of the town, and well on to Tower's Bridge we find a diminution in the outcrop of these rocks, but after crossing Clear Creek and assuming a more northerly course they again make their appearance in well defined lodes running parallel with each other for long distances. The best position for examining their relations with the adjacent rocks is three miles from Frenchtown at the Mt. Washington Mine. At this locality the parallelism of the dikes is observable along the flanks, and over the hill on which this mine is situated. A level has been driven about 200 feet on the main lode of the mine, which has exposed the walls of the vein for that distance and at a vertical depth of about 150 feet below the outcrop. It is here found that the lode traverses the primitive rocks exclusively, and like the other mines in the State the power of the lode is increased as it descends. In the vicinity of the reduction works of this establishment are large masses of an amygdaloidal trap, which is found in situ a short distance west of the buildings. This rock is cut through in every conceivable direction by small threads of quartz, which I have found to contain gold, showing most conclusively that the mineral was injected at a subsequent period to the formation of this trapean mass.

In traveling up the canon from the bridge above alluded to, the quartz dikes are found to crop on the sides of many of the hills as we pass along; as the ascent of the Trinity ridge is made from McLaughlin's ranch, which is situated

in the canon spoken of, no veins are again met with, until the base of this ridge is approached, towards the Trinity River, when they are again found crossing about two miles to the east of Lewis's Bridge on this stream; but we shall for the present defer their consideration till we come to examine them again in the county of Trinity, where they belong.

CARBONIFEROUS LIMESTONE.

In the eastern part of the county of Shasta, there is a group of calcareous rocks, stretching obliquely across the head of the Sacramento Valley, whilst the mountains in which they are situated, or more properly, the mountains of which they compose the chief part, hold a due north and south trend. Their color and altitude when seen from a distance of twenty or thirty miles in either direction, form striking features in the landscape scenery of this part of the country, peering upward in their more northern portions to the height of about 3000 feet. Their light blue tint projects them in strong relief, against the dark rocks and darker herbage of the mountains beyond, in such a manner as to display their rugged and bold outline in the clearest and most distinct picturings.

These *limestone mountains*, thus termed because there are no rocks of any other description to be found upon them, extend across the Pitt River in a northerly direction for a distance of about thirty or forty miles, forming a portion of the canon of McCloud's Fork, and are situated on the western banks of that stream, between which and the Sacramento flows the rapid stream termed by Mr. Dana, Destruction River, a name which it still retains.

The dip of these limestones is to the east at an angle of about 20 degrees; the strata, which are very distinct, vary from a few inches to eight feet in thickness, and the thicker beds appear extremely solid, scarcely exhibiting even a small seam. Those which lie near the base of the mountains are much darker in color than those above them, and form a most beautifully variegated marble, inferior to none of those varieties used in ornamental architecture, or for making furniture. The lower, the middle and a considerable portions of the upper beds are highly fossiliferous, consisting of marine species entirely. The fossils are composed of several species of encrinite, orthids and small spirifers, in the middle and upper beds, and of corals among the lower ones. This I believe is the first fossiliferous limestone, as yet found in any portion of this State, it has heretofore been entirely wanting.

The discovery of this group of rocks brings us in close connection with a new geological era within the State, and enables us to present the outline of a strong hope that we may yet be able to discover that article of comfort and economy so much needed on these western shores. These rocks belong to the carboniferous system and appear to be the representatives of that system developed during the survey of the north-west Territories by Mr. Owen. They appear almost identical with the superior portions of that group known as the "Carboniferous rocks of Iowa and Des Moines" and in which the coal measures are found.

I do not wish to be misunderstood in this matter, nor to say one word which might induce individuals to invest capital or time, in what would be considered fruitless attempts in search of coal. The only evidence existing, that this article may be found in quantities that would be adequate to the demands of this State, will depend upon the character and extent of this group of rocks under consideration.—My time did not permit that extensive examination of the group, which I wished, but it was conducted far enough to determine the fact of their carboniferous character beyond question. As before stated, these are the first rocks which have been found

in our State, of that series to which the coal measures belong, and they furnish us reason to hope that we may yet be able to say that California can supply herself with coals from her own mines, and thus avoid in all time to come the enormous expense of the importation of this most valuable commodity from vast distances over seas.

During a hastily conducted line of travel in 1850, through the district east of the Pitt River mountains, I observed a few scattered masses of a secondary conglomerate. This gave me the first impression of the probable existence of the coal measures in those districts of country, and there was a brief notice of the subject in the short report to the Session of 1853. On the 15th page of that report, on the Geology of the Sierra Nevada, the following remarks were made :

"These conglomerates have but little interest connected with them further than geological position is concerned, except the modifying influence they may exert through their debris on the formation of the valley sections ; but there is a belt of these rocks in other parts of the country which will be entitled to much more particular consideration. In addition to the buhr stone of this district, this section of the State contains some few traces of the secondary rocks, a suite almost entirely wanting with this exception in other parts of the State so far as explored. The existence of any portion of this suite should command our attention, and any measure which would be likely to develop this formation, or any part it within the limits of this State should meet with public approbation. The importance attached to this group is the fact that to this suite we must look for a home supply of the mineral coals, if even found within the State."

And on the 16th page of the same report we read as follows :

"As these rocks have exhibited themselves in the northern districts, and in those sections most immediately connected with the coast-line of mountains, it is to be hoped that judicious explorations in that range may develop its existence (the existence of coal,) either at the points alluded to, or in other and more distant parts of that chain.

From the structure of the country generally it is doubtful whether any other portion of the State presents the slightest ground for hope that this necessary material of economy will be found in other parts than those indicated, and every effort compatible with prudence should be made that will tend to elicit information on this highly important subject. The frequent discovery of small patches of mineral coal in those mountains, would seem to lend aid to the suggestion that its development in this chain may be looked for with more confidence than at any other point."

The foregoing remarks upon this subject penned in a hasty manner more than two years since, (and the observations which gave rise to them being conducted in a district of country where at that earlier period of our history the explorer found his attention well occupied rather in the preservation of his life against the dangers of the wilderness and its denizens, than in searching for geological formations,) have during the past year been strongly confirmed. We have reason now to believe in the correctness of our suggestions then thrown out, from the discovery of fossils belonging to that period, and required as a basis for such conclusions. These fossils have been found at distances of miles from those points where the first indications of the secondary series were thus hurriedly observed. It should be remembered that it is no easy task to define positively the true position of a formation or group like a conglomerate from its mere lithological characters alone ; and it receives its additional value, when it is found to hold a direct relation with groups of a homogeneous character, presenting fossils of a known age, and known position.

Such is the case with the fossils of the limestone rocks before us, their relative position being well known, as well as the period to which they belong, that they place the subject of the existence of a coal field in this part of the State, or Southern Oregon, in a more tangible form than any which has been before presented. We are able therefore to arrive at something like a satisfactory con-

clusion, not only as to its existence, but approximately as to its probable locality. The fossils before alluded to, are always found *below the coal beds*, and in no instance *above them*. Their depth below the coals is generally within *three hundred feet*. These facts will lead us to look for some other locality more elevated, and on the line of trend to the north in which these rocks may be found with their appropriate superincumbent strata, in which we may naturally expect will be found the proposed beds of mineral coal. The dip of the rocks to the east at an angle of about 20 degrees, and the elevation of the lands lying in that direction with their outline, would warrant extensive explorations in those quarters with strong grounds for the belief that success would attend the search; while to the north the beds should be sought for among the higher hills and low mountains east of Shasta Butte, or perhaps as far north as the Siskiyou Range, beyond the Klamath River.

I feel but little hesitancy in saying that a great degree of certainty exists, of the mineral coals being found in the counties of Shasta and Siskiyou, but in the former more particularly. I cannot with respect to the latter named county, speak with the same amount of confidence, as my examination did not extend sufficiently far north to determine with any degree of certainty the probable extent and position which these rocks maintain through the middle and northern parts of that county. My remarks in relation thereto are based on the fact of an extensive bed of limestone, similar in character to that under consideration, existing on a tributary of the Klamath River, a short distance to the west of what is known as Bridge Creek, a specimen of which was in my possession three years since, but was destroyed in the great fire at Sacramento. This specimen, I believe, contained no fossils, so far as my recollections serves me at the present time.

Should no coals be found adjacent to any part of this group, there are other circumstances connected with it, which render it of considerable economic value. The depth and solidity of the strata composing the great mass of the hills, and the firm character of the stone, will render it desirable for building purposes, to which it is well adapted, both in quality and quantity. It would make a more durable material by far, for those purposes, than a great portion of the stones at present used, either on public or private works about this country. Indeed there is none to be found so good, except, perhaps, the better qualities of granite, such as is found in the eastern parts of the county of Sacramento. The facilities of transportation, too, are very good, as this rock is found within six or eight miles of the navigable waters of the Sacramento River, at its higher stages, and which, with light draught boats, could be made available for four months of the year, and probably for a longer season.

The lower beds of these rocks are composed of corals, and the stems of encrinites, distributed through a very dark base, and traversed with veins of white spar. It receives a high polish and is obtainable in slabs of almost any dimensions and thickness. It will be found a most superb article for ornamental housework and for furniture. There are sufficient quantities and variety of qualities of this stone to answer the entire demand of this State for many years to come, and capable of affording an extensive and lucrative business to persons engaged in this department of industry. The value of ordinary marble in this State, is about \$2 50 per cubic foot, and the demand constantly increasing. For the finer varieties, the prices are much higher, and run as high as \$3 25 and \$4 00 per cubic foot. I have obtained the opinion of practical stone artificers on the fine dark varieties of these rocks, and they unqualifiedly pronounce it but little inferior in quality to the Italian stone known as the "*Black and gold*" marble. The stone of the Sacramento does not possess the rich yellow veins, which distinguish the above-mentioned article, but in all other characteristics it closely resembles it.

The situation of these rocks is such that water power may be used almost directly upon the ground from which they are extracted, from the current of a small stream, the tributary of a creek which flows directly to the east of one of the main ledges, and carries water throughout the year. With these advantages, and the character of the rocks combined, it is to be hoped that attention may be turned to this department of trade, and thus add another to the list of our available resources.

TRINITY COUNTY.

The southern and south-eastern line of this county is separated from that of Shasta by the high ridge known familiarly as the Trinity Mountains. These attain an elevation of about 4000 feet, at the points at which the trail crosses this ridge. There are but few points along the line of travel that exceed this height; it may therefore be considered very nearly the general mean altitude of this range, or rather spur of the coast mountains. The rocks composing this ridge, are granite and sienite, deeply underlaid by the greenstone trap which descends to the beds of the streams, and forms the principal *bed rock* of the placers of this section. On the flanks and near the base of the ridge, there are frequently to be met with, isolated masses of the metamorphic rocks, the chief of which are slates. These rocks often present a porphyritic structure, especially when found in contact with the trapean rocks, or with quartz.

I do not remember one instance in which the sedimentary rocks were found in an altered condition, when in contact either with the granite, the sienite, or any other member of that cotemporaneous group alone. I therefore infer that they were deposited upon the latter subsequently to their consolidation, and any changes which they may have undergone since their deposition and uplift, are occasioned by the intrusions of more recent igneous rocks, which have alike disturbed the slates, and the primary rocks on which they rest. In using the word primary in this case, it is applicable to the granitic series, including the serpentines, and is intended to separate the series of this part of the State, from rocks of identical constitution in other localities, which are beyond question, not older than some of the lower members of the tertiary era. These latter rocks were merely alluded to in my first report to the Legislature, and will be found thus noticed on the 12th and 13th pages of that report.

The deposits of placer gold found in these districts lie superior in position to the metamorphic series, and also superior to most of the slates. It is usually found imbedded in the gravel drift, which is composed for the most part, of rolled masses of the primitive group, almost unmixed with any other of the adjacent rocks. The entire district west of this range exhibits the marks of old water lines, from which the waters have since receded, the outlet being probably through the Klamath to the ocean. The waters were apparently fresh, and the drift beds and clays which formed the bottom are charged with large quantities of vegetable remains; but as yet no relics of animals have been found.

The small amount of deposits found among the drift, and belonging to the more recent rocks leads naturally to the inference that the gold deposits of these basins were derived mostly from the primary suites, and such was subsequently found to be the fact on examining the geological relations of the rocks found among the mountains. This characteristic was prevalent as far as the crossing of the Scott River mountains, and westerly for a distance of not less than 40 miles. In this place we shall resume the consideration of the quartz veins and

their relations to the other rocks, which will more fully illustrate the character of this portion of the State.

The examination of these rocks was continued from Lewis's Bridge on the Trinity, in a northeasterly direction to the base of what is known as Brown's Mountain, a ridge which forms the eastern border of the Weaverville basin.— On this ridge there are no vestiges of any other than the primitive series, and trapean rocks, comporting in character with those spoken of on the Trinity ridge. On the western declivity and a little more than half way down to the level of the basin, the veins were found to be situated in talcose slates, which extend in a broad band from this point to the bottom of the hill ; as usual, the vegetation within the line of its range become much more sparsely distributed than upon either of its flanks where the trap rocks and granites were found to predominate. Following this line for several miles, these talcose rocks were found to be part of an extensive range which composes the major portion of the four prominent peaks situated north of the town of Weaver, which are designated as the Weaver Mountains, and which may be known by their peculiarly barren aspect, when approaching this town from any point of the compass. This belt extends entirely across the basin, and has been struck, at various points, in sinking shafts and driving tunnels for placer mining.

Taking a westerly direction along the base of the ridge, and following that line for four or five miles, I observed three dikes of quartz cutting the granite, and one near a small branch which empties into Weaver Creek, which entered the greenstone below the granite. In company with some three or four of the citizens of Weaver, a visit was made to the high ridge west of the west branch of the main creek. In the distance of two miles in reaching the summit of this hill, we crossed as many as five distinct parallel lodes, three of which I subsequently found to contain gold. On the following day, an examination of the southern end of this ridge was made, and a heavy dike of this rock was found occupying the summit, and cropping out at various points on the declivity towards the river. I think that this dike is identical with one which is found on the south-east flank of Brown's Ridge, and it unquestionably cuts entirely through that mountain.

In all the veins which passed under my observation during my rambles in this section of the State, not one was found to enter any of the rocks of sedimentary origin, but were confined exclusively to the primitive group. On the Trinity River and between that and the Scott, the same features were prevalent in this particular with one exception, which was found at the distance of about two miles from Palmer's Ferry ; here the Argillite slates on the left of the trail were cut through by a single small vein which was traceable for a distance of nearly one mile, and like several veins in the more southern counties of the State ; this lode had a strike nearly due east and west, nearly at right angles to what are known here as the primitive lodes. This is an interesting fact in this county, and serves to show a regularity in those perturbations to which this part of the continent has been subjected at different periods. Under the article of *Mines* I shall have occasion to allude to this subject, in connection with the comparative value of the metalliferous character of these lodes, so far as they have been examined and are at present understood in this State.

From the allusions made to the primitive veins in my report of last year, some idea of their intrinsic value may be gleaned with reference to the prospects which they present for mining operations.

Finding so great a preponderance of lodes of this character in this district of country, I took occasion to collect and examine a considerable number of these rocks from different veins, and situated miles apart. These collections were from the counties of Shasta, Trinity and the eastern part of Klamath, the aggregate number of which was forty-three, and of this number fourteen were

from the Weaver Basin and its surrounding ridges, of which nine specimens, or about three-fifths contained gold; of the remaining twenty-nine specimens twenty-two were found to contain the same metal. As but one of this entire number of veins was found to be located for mining purposes, within my knowledge, I hope that I may not incur the charge of giving a favorable report on private property for pecuniary considerations, for to be frank in this matter, I found a less quantity in the vein which was claimed than in any specimen which proved to be auriferous.

The above facts respecting the auriferous character of the quartz veins of the northern section of this State are detailed for the purpose of calling attention to that important source of wealth, which in other parts of the State has proved of so high a value, and which thus far in the extreme northern portion of the County have been engaged in to so limited an extent. One of the greatest causes, however, which have acted in preventing capital investment in this branch of mining, is the hitherto almost inaccessible condition of this section from bad roads, preventing the transit of heavy machinery which is so necessary to success in the reduction of ores. This difficulty at present seems likely to be overcome, for active measures are now being taken for the construction of good avenues of communication, which will insure the means of the transportation of heavy freights to almost any portion of the northern interior.

IRIDIUM AND OSMIUM.

This County, like many others of the State, produces the above metals, but in much larger grains than any heretofore discovered. This alloy is the metal usually denominated *Platinum* in the mines of this State. It is found in the greatest abundance on the south fork of the Trinity River, occurring in large and small rounded grains, and nuggets weighing from one pennyweight upwards to half an ounce. Thus far the south branch has been most productive in this mineral, although some of the adjacent streams contain notable quantities. The size of the grains from this stream will render it of some commercial importance, as it appears well adapted to those uses to which it is ordinarily applied, (that of forming the points of gold pens) although its price, like that of every other commercial commodity, will be variable according to the supply or demand. During the past year the price of this article has exceeded that of gold; but a considerable quantity being thrown into the market in the early part of last spring, its price diminished very materially; the effect, however, was but of short duration, as the article was found to be of an inferior quality.

It was thought at one period that the large quantities of this metal found at Port Orford, Coose Bay and Cape Blanco might affect the price of the article to an extent that would render its collection in this State of little importance; but the size of the grains from the above localities renders it almost valueless, being but mere thin scales in an extremely fine state of comminution. The large size of the grains found on the banks of the Trinity, imparts to this article one of its principal values, and as it is found in considerable quantities upon that stream, it is to be hoped that attention may be directed to its collection.

IRON.

A short distance to the north of the town of Weaverville are small veins of magnetic iron ore. It is seldom found in veins exceeding one or two inches in thickness; but from its position and other attendant characters, it is fairly presumable that this will prove an extensive bed of this ore. Our reason for this supposition is based on the fact, that what appears to be its equivalent, was found on the opposite side of the basin, on the south bank of Brown's Creek, and at the distance of four miles from the point at which it was first discovered. The distribution of the metals in this and other Counties that were visited during the past year, will be noticed more in detail when making out the tables illustrative of that portion of our subject.

STRUCTURE OF THE SACRAMENTO VALLEY.

A farther examination of this valley during the past year has placed us in possession of additional information in relation to the peculiarities of its structure, and as this part of the State promises in a few years hence to become the theatre of extensive operations in agriculture, it becomes an interesting and important point to ascertain what may be the probabilities of obtaining a supply of water to conduct those pursuits successfully on so large a scale. The portion of the plains of this valley to which I would call your attention in this particular, is that which lies to the north of the County of Sutter, and the extreme lines of the valley section towards the Pitt River, which stream may be considered as constituting the northern terminus of those plains.

It is found that this plain carries an ascending grade of about four and one-half feet per mile from a point opposite to the town of Marysville to the entrance of the canon leading from the plains to the town of Shasta, the air-line distance inclusive, being that one hundred and five miles, giving us as the altitude at the entrance to the canon, a rise of five hundred and twenty feet above the line at which the observations were commenced, and five hundred and ninety-six feet above tide level.

In this part of the Sacramento Valley there are ten streams flowing, which carry water throughout the year in the hilly districts forming its boundaries; but the greater portion of the waters flowing at these higher points are lost upon the surface almost as soon as their streams reach the alluvial covering of the plains beyond the lower hills, with the exception of the freshet season. The larger streams, the Sacramento and Feather Rivers, furnish the principal channel for the escape of those waters, which, rising to the east of the slate and conglomerate ridges, discharge themselves into the ocean.

In order to form an approximate idea of the probable amount of waters which pass beneath the alluvial coverings of the plains, it may be stated with safety that it exceeds the quantity flowing in the Feather River, below the confluence of the Yuba. This estimate is founded on the known fact that the tributaries which furnish the waters flowing in the Sacramento, *during the summer months*, are neither as numerous nor as large as the streams which sink before uniting their waters with that stream during the same period, and which are also direct tributaries to the upper portion of that river during the rainy season.

Much of the water which flows in the Sacramento as it approaches the Bay of Suisan is derived from drainage through and between the superficial strata of the plains, or from the small subterranean courses which flow out over the middle clay beds, which form the substratum of the sandy and gravelly clays above. One of the best proofs which is presented, of the existence of these latent currents along the plains from the Upper Sacramento, as far down as Yolo County on the south, is found in the fact that there is derived a constant supply to the large lagoons of the plains, which we can trace to no other source, thus driving us to the conclusion which the known formations of the valley corroborate. Another fact is worthy of attention in connection with this subject, which is that these lagoons have outlets which distribute their waters over the *tule* grounds, where they maintain quite uniform stages during the summer months, which is traceable to no other known and visible system of supply, and compels us again to the belief that the subterranean courses of the lost mountain streams must furnish its elements. If the lagoons were filled merely by the overflow of the plain during the rainy season, they would not maintain their uniform height throughout the dry season as they now do, and they would furthermore necessarily exhibit all the features of mere standing pools of stagnant water, no signs of which is now to be seen about any of these bodies of clear water west of the Sacramento. It has been asserted, though I have no personal knowledge of such a fact, that a light current is at times perceptible to the south, in some of the larger lakes.

The water in many of these lakes is of considerable depth, perfectly clear, and much colder than the waters in the rivers, their dimensions varying from eight to twelve miles in length, and three to five miles in breadth. The existence of these bodies of water and their number, temperature, and their uniform depth and volume teach us plainly that the source of their supply must be traced to some other cause than that of the mere periodical overflow of the surrounding lands. If this be admitted, we must look for that supply to the more elevated borders of the valley on the east and west, or at their northern extremities. A sufficient supply of water is not to be found on any part of the west border of the plains, to produce these lagoons until after we pass the Cottonwood and Clear Creeks to the north, and we cannot, therefore, look to that direction alone; but we find the apparent source of an ample supply in the numerous streams that sink upon the upper and eastern sides of the valley which, as before stated, hide the greater portion of their contents before reaching the main channels through which they conduct their discharge in the rainy season. An additional evidence that the waters of these streams pass beneath the surface, and in a certain degree are superficial, is a fact that heavy forest growths frequent different levels, and in their distribution are found at distances of miles from any currents of water which would be at all adequate to the support of such forests, by imparting to the soil in which they grow the necessary moisture for their nutriment.

The structure of the plains below the surface, has been inferred from an examination of the changes which take place in the soils which are met with in traveling from the higher terraces of the northern end to those of the more southerly levels, which latter are but a few feet above tide water, and in the position of the clay beds which are found lying upon the first outcrop of the slates which are found in the lower foot-hills before entering the more elevated mountain districts. A vertical section of the country spoken of, would give a depth of about four hundred feet as the superficial covering of the valley where it is exposed to view. The various depths of the principal groups of this part of the State will be found in the table in the following pages, and the respective positions from the surface, as demonstrated by the boring of the Stockton well, which has perforated them to the above noted depth of four hundred feet. The thickness of the lower clay bed is, of course,

unknown, and there is as yet no method of reasoning upon its probable depth from any data in our possession which would amount to more than mere speculation. There is no evidence respecting it beyond twenty or thirty feet, which is all that has thus far been known.

This deposit has all the appearance of having been originally covered by the waters of the ocean, as small fragments of what appear to be marine shells have been met with at different points, though none of them in a state of sufficient preservation to enable us to determine either the genera or species to which they belong. Should this prove to be the equivalent of the Santa Clara deposit, its average thickness might be put down at about one hundred feet, or if like the Los Angeles bed, then the boring of four hundred and thirty-five feet has not yet penetrated through it. There are reasons for the supposition that this blue clay is not less than that of the valley of Santa Clara, and the likelihood of its being much thicker is admissible. We think two hundred feet might be set down as a reasonable supposition respecting its depth, which, should it prove correct, will present the probabilities of obtaining water from beneath it, at a distance of fifteen miles from Sacramento City, about at the same depth at which we estimated it last year,—the difference between the estimate of last year and the present, being only forty-five feet, and both estimates being made without any reference to each other. In the northern part of the valley, the heavy deposit of clay which has been mentioned as resting on the slates, so far as opportunity offered for examining it, seemed but little disturbed, and from its general appearance, I was subsequently led to the belief that it was the same as that found on the surface of the lower bottoms further south. But I am unable to speak with much certainty upon that point, as no organic remains were observed by which its identity could be satisfactorily proved. The presumption upon this subject, that it is identical, is based on the very tenacious character which it possessed, and its peculiarity of color, two features noticeable only in these lower beds on the southern levels of the plain.

Should this bed ultimately prove to be identical with those forming the surface of the lower bottoms, for which result we have good grounds of supposition, then its thickness as indicated by its outcrop in the upper part of the valley cannot be less than we have herein estimated it, and would fix the bottom of that deposit at the depth of a little more than seven hundred feet. Short of this water will not probably be found in that of the country in any permanent supply.

The depth of seven hundred feet for an artesian well is not excessive, and may be esteemed even small, when we consider to what depths this description of wells have been carried in other parts of the United States and Europe. A failure to obtain water at this depth should not discourage the enterprise, for the structure of this basin, in every part of it, is such as to warrant a certainty of obtaining water beneath its surface if the operation of boring is carried to the extent which the geological conformation of the ground requires. The case of the artesian well in North Carolina which has been completed within the past year, furnishes a good illustration of the depth to which it may, at times, be necessary to descend to obtain a permanent supply of water. This well has been completed at a depth of 2700 feet, and a copious supply obtained. This fact alone should be an incentive to perseverance in the prosecution of such enterprises beyond any depth to which they have yet reached in our State.

A great uniformity appears in the disposition of the earthy deposits forming the superstructure of the San Joaquin and Sacramento valleys, above the rocks at their base. The interesting suite of specimens from the artesian boring at Stockton, sent by Mr. George E. Drew to the Academy of Natural Science at San Francisco, with an accompanying paper giving the depth of each of the beds, and their respective distances below the surface, assists us much, with other collateral evidences in forming an opinion of the relative positions of the beds below and those above the

surface, and which are equivalent, the one with the other. The following table will exhibit the relations of these beds, though nearly two hundred miles apart.

With the exception of the upper gravel beds, which occur in the higher terraces of the northern part of the Sacramento Valley, the beds below the surface on the San Joaquin will be found to correspond in their general features very closely with the deposits which are traceable above the surface, from the City of Sacramento to the south banks of the Pitt River.

The figures give the maximum depths at which each of the deposits were met with in both sections of the State, and the diagrams exhibiting the transverse and longitudinal sections of the plains, show the relative positions of the respective beds as far as known at the present time.

TABLE SHOWING THE POSITION OF THE EARTHY DEPOSITS OF THE PLAINS OF THE SAN JOAQUIN AND SACRAMENTO ABOVE AND BELOW THE SURFACE.

Beds of the San Joaquin below the surface.

Light dark red clays and sand,	-	-	-	-	40
Grey sand and clay,	-	-	-	-	170
Blue clay, gravel and sand above,	-	-	-	-	237
Light grey sand,	-	-	-	-	265
Fine clear gravel,	-	-	-	-	346
Blue clay,	-	-	-	-	400
Total,	-	-	-	-	400

Beds of the Sacramento above the surface.

Alluvium, lava, light red clays,	-	-	-	-	52
Upper gravel beds,	-	-	-	-	66
Light sandy clay,	-	-	-	-	160
Sand, gravel, blue clay below,	-	-	-	-	225
Light greyish sands,	-	-	-	-	276
Fine gravel, sand and blue clay,	-	-	-	-	338
Blue clay,	-	-	-	-	358
Total,	-	-	-	-	358

The above table exhibits a strong coincidence in the coverings of the valleys at nearly two extremes of the State, and the observations leading to the above results being entirely unconnected with each other, there certainly exists good reason for the belief that the earthy coverings above the stratified rocks will maintain a great degree of uniformity over the entire basin.

The depth of the Stockton well is not so great as the boring at Los Angeles, the latter being 465 feet below the surface point of starting, 432 feet of which has been carried through the blue clay entirely. This clay has increased in density and hardness as they descend, and contains embedded boulders of other rocks.

For the above information I am indebted to Messrs. Butts & Wheeler, of Los Angeles, in a letter describing the progress of the well after I left that part of the State, during the month of October. The Santa Clara wells produce their supply of water from a bed of fine gray sand, which lies immediately beneath the heavy clay bed, which varies from 75 feet to about 100 feet in thickness.

On the plains of the Sacramento there are some additional aqueous deposits which have not made their appearance in the line of the Stockton well, but they may have arisen from changes in the respective levels of water courses, such as have been known to have taken place within comparatively short periods, an illustration of which is to be found in two instances with respect to the bed of the Sacramento River. The old bed of that stream, about nine miles south of Shasta City, may be easily traced at a distance of four to eight miles from the present course of the River, at a level of about three feet above medium stages of water, and running nearly at right angles to the line on which the River now runs.

The differences caused by these additional beds, however, are very trifling. Their aggregate would only amount to about 34 feet in a line of distance of 290 miles, and would not, therefore, affect any general result in relation to those wells.

The annexed diagram, exhibiting a longitudinal and transverse section of the plains of the Sacramento and San Joaquin, will exhibit more plainly than language can convey, an idea of the structure of these plains so far as known at the present time.

The diagram No. 1 shows a section carried through the major axis of the valley, comprising an air-line distance of 160 miles, or from the upper terrace at the northern extremity of the valley, south to a point opposite to the City of Sacramento in the County of Yolo. The lower clay bed is indicated at the different points at which it was noticed, which will be seen, by reference to the sketch, in the arroya south of Tehama; and again on the banks of the lake on the western side of the Sacramento River. This is probably the same bed which is found resting upon the slates some twenty-five miles north of the limits represented in the sketch. By reference to the letter of Mr. Drew, respecting the Stockton well, which we have exhibited in a tabular form, a close similarity of the beds of the two districts will be observed, and if the waters which sink beneath the surface in the more elevated districts of these plains, pass beneath this bed, (and from the evidences before us, such seems to be the fact), it will be necessary, as a consequence, to penetrate it in order to obtain any considerable supply of water. I entertain but little doubt that the foregoing remarks afford a correct idea of the true position of matters below the surface of the plains, and we are warranted in these conclusions from an examination of the outcropping materials on the flanks of the valley for miles in extent. The outcrops of the slates, sandstone and clays, on the west sides of the plains, are the equivalents of those which we may expect to find beneath the surface of the valley, and from the positions of the sedimentary rocks on the eastern borders, we are not warranted in any other conclusion than that waters are flowing in subterranean streams on the more impervious materials comprising the basis of these plains.

From the observations which I have been able to make during the past season upon these districts of the State, there have been no new facts elicited which would induce any modification of the opinion entertained and expressed in my former report, respecting the probable depths which it will be necessary to reach in order to obtain water from artesian wells. If there exists any reason for a change of those opinions, it rather tends to the increase of the depth which may be required. I still feel confident that the former conclusions will be found correct, and the figures true as to the point at which perennial springs will be reached. All the evidences I can command only tend to strengthen this confidence. Still it should be recollected that it is beyond the power of man to demonstrate, with *absolute certainty*, the depth of the stratified rocks which form these plains, without actual penetration through them, and the feasibility of an

operation of this kind is demonstrable only so far as may be legitimately inferred from the natural position of the substratum as presented in their outcrop upon the borders of such plains. We should have in view, at the same time, the probable effect of those disruptive agencies which have elevated the edges on either hand, and the law which governs those effects, when exerted over long distances. In this country, as in every other which is similarly situated, the smallest amount of inclination will be produced on originally horizontal strata at the greatest distance from the immediate center of disturbance. On this rule was founded the position assumed in my former report, in relation to this subject, which is here referred to, together with a transverse section of the valley, in order the more fully to illustrate this portion of the present report.

The superficial structure of the plain is now known to a depth of 400 feet below the service, and if it be admitted that the rocks beneath the surface at the center are in their proper position, which will be found to be the case, taking the preceding rule as the basis of our calculations, we may thus be enabled to make an approximation of the depth to the surface of the underlying rocks, the superior of which is probably sandstone imposed upon a firm conglomerate beneath them.

It was stated in the report of last year, that a permanent supply of water would not, in all probability, be obtained before the sandstone had been perforated, unless, perchance, an arenaceous deposit should exist below the heavy upper clay beds, and this underlaid by a deposit of plastic clays or argillaceous slates; in that case the depth of water would fall within 800 feet.

I am not aware of any facts which would modify that opinion, and it is far better for us to have the probable maximum before us rather than the minimum of depth required, for, should we base our estimates of cost upon the latter, there are strong probabilities that failure in obtaining water from these sources would be the result even though a comparatively small depth might intervene between the point of suspension and the point at which water might be found.

An examination of the diagram exhibiting the transverse section of the basin will develop the fact that the Stockton well is in all probability but little more than half way down to the position assigned to the upper beds of sandstone, and it is quite certain that if water is not obtained before reaching those rocks, that it will be necessary to penetrate through their beds and obtain the supply on the surface of the conglomerate. The only prospects of a permanent supply of water being obtained at any depth less than twelve hundred feet, are the probabilities which may exist of a deposit of sand being found immediately below the beds which are now being bored, and this resting on an impervious deposit as above mentioned.

The following table of estimated depths under such a contingency as last proposed is given in order to direct attention to all of the favorable constructions which may be adduced upon this interesting subject, and hoping that citizens interested in it may be properly encouraged to persevere to the attainment of successful practical results. The depths in this table are estimated for a supply of water above the sandstone, and at given distances east and west of the City of Sacramento, and will be equally applicable to other localities upon these plains, so far as they maintain nearly the same level above tide water.

TABLE SHOWING THE PROBABLE DEPTH OF A PERMANENT SUPPLY OF WATER ABOVE THE SANDSTONE.

	FEET.
At Sacramento City, - - - - -	775
Twelve miles east of Sacramento City, - - - - -	700
Seventeen " " - - - - -	660
Twenty " " - - - - -	625
West of Sacramento, (at Washington), - - - - -	775
Eleven miles west of Sacramento, - - - - -	700
Fifteen " " - - - - -	650
Twenty-two " " - - - - -	550

To this table may be added 380 feet, should it become necessary to descend through the sandstones and upper beds of slates, which we have arranged as belonging to the superior beds which form the basis of the Valley.

It would be impossible to estimate the increased value of the lands lying upon these extensive plains when the fact has once been demonstrated that water can be obtained from these sources; at the same time it must be seen that individual enterprise alone will not be equal to the task of penetrating such depths, in consequence of the heavy expense which must be incurred in the undertaking. Few individuals are possessed of a landed estate of sufficient extent and value to warrant their embarking in such an expensive and costly operation. The State has, perhaps, a much greater interest in this matter than any other landholder, from her large landed possessions on these plains, and we here suggest the wisdom of the policy on her part, which shall take the initiative, if it were only to carry one shaft to the required depth at which water can be obtained. Not only would one success of this kind greatly enhance the value of her own lands, but it would also prove a strong incentive to combinations of individuals for the attainment of similar objects respecting private property. It is evidently the fear of failure which now deters many from undertaking the enterprise, consequently each district is now waiting for some neighboring section to enter the field, the effect of which is to retard the settlement and cultivation of the country, and affect materially the general prosperity. The effect of partial failures in obtaining water at small depths, and with limited means, will be that these operations will be esteemed unavailable, and it therefore becomes a matter of both public and private pecuniary interest to determine at what depth it will be necessary to descend, in order that a permanent supply may be obtained. After the solution of this matter by fair practical experiment, it would be found that all individual and corporate enterprises would be governed by its results.

I have conversed with two intelligent gentlemen who have been large contractors in well boring, in the Atlantic States, and they have given it as their opinion, that an eight inch bore cannot be carried to the depth of twelve hundred feet in California for any sum less than \$14,000. This fact alone would be sufficient to deter almost any individual from an attempt to sink a well of this character, unless there should be a probability almost strong enough to approach a reasonable certainty that success would crown the enterprise. The sinking of one well to the requisite depth, would have the effect of imparting confidence in the undertaking, which no other circumstances can ever inspire. If this were done by the State, the extensive area of lands lying upon the valleys, and belonging to her, which under present circumstances must be sold at very low rates from their desiccated character, would rise in intrinsic and market value sufficiently to more than repay the State for the expense of their reclamation.

The immediate occupancy and improvement of the broad plains of California

would follow fast upon the steps of any system of irrigation which would successfully redeem their lands from that arid condition which for half the year gives them more the character of deserts than of habitable countries. Such a process of improvement would thus lead the State to new sources of revenue, not only in the enhanced value of her own lands, but also in the greatly increased value and amount of the improved lands of individual property taxable for governmental purposes.

There is no part of the country more inviting in point of fertility of soil and salubrity of climate than these valleys, and none which would be more tempting to the ambition of the agriculturist, if the additional feature of a plentiful supply of good water could crown the advantages which these lands possess, being in their central position between the markets of the mining towns on the one hand, and the cities of the seaboard on the other.

It is to be hoped that general attention may be turned to this subject, and that it will meet with such deliberation too on the part of the State Government as its importance would suggest. The higher portions of these plains, where nature has supplied them with moisture, are found to be abundantly productive, both for pasturage and the culture of grains, and if this moisture could by any means be secured throughout the summer season in the now arid portions, there would be no obstacle to the settlement through the valleys of an active and prosperous agricultural population.

TERTIARY ROCKS AND OTHER DEPOSITS OF THE SIERRA NEVADA.

We shall now pass to the notice of the rocks belonging to the tertiary periods, which are found in the Sierra Nevada, and which extend from the middle sections of these mountains to the east of the foot-hills and under the eastern borders of the valleys of the Sacramento and San Joaquin. They consist of sandstone, slates, conglomerates, and heavy beds of gravel drift, alternating with sands and clays—of the latter group, many are found in an indurated state, at times possessing a stony hardness, and at others the same bed is frequently found loose and incoherent.

On examining the rocks of this district of the State in the month of June last, it was found that the tertiaries were resting upon the granites direct, and that the granite had been uncovered by placer mining to a much more westerly extent than had previously been assigned to their positions. These operations placed us in possession of the facts, that they formed the base of the table lands near Willow Springs, and within 22 miles of the City of Sacramento. The aqueous deposits which are found resting upon the granites, exhibit themselves as out-liers, forming the main body of the first range of plateaus above the plain, and are of the utmost importance in determining the relative ages of contiguous rocks to the east.

West of Willow Springs, in the county of Sacramento, the slates and sandstones crop out near the edge of the plains; they soon become covered with the alluvial drift, and are not met with again in travelling to the east until arriving at the first range of hills beyond the above mentioned locality. *Between the springs and these hills, the only surface rock is the granite, forming the "bed rock" of this section for several miles*, and lying at an average depth of about twenty-five feet below the surface. At the distance of eight miles (air line) east of the Springs, these rocks disappear, and are replaced by beds of indurated gravel drift, having large quantities of a coarse granitic sand commingled; this latter article being heavily charged with iron, which forms the cementing medium of these beds. This drift-bed has been pierced to the depth of ninety-four feet with shafts sunk for mining purposes.

At the depth of forty-three feet from the surface, a bed of marine shells was found in fine gravel and sand, cemented by iron, giving the mass a considerable degree of firmness. Below the first fossil bed there were alternating beds of sand and gravel, in which were imbedded the teeth of sharks and other portions of the skeletons of fishes; commingled with these were the remains of mollusca in large quantities, and of various species. From the specimens obtained, it appears very certain that these beds were deposited upon the granitic rocks direct, as the fossil specimens in the State collection will abundantly prove, for in these the fossil may be seen adhering firmly to that rock.

Above this heavy bed of drift, and at the distance of half a mile to the south, the conglomerates crop out and form the summit of a high table ridge, on examining which, the marks of the old water line of the sea were distinctly engraved upon its surface for a linear distance of nearly three miles. These rocks extend north and south from this point, forming the summits of a set of similar table ridges, for a distance of 20 miles, beyond which they were not followed in this State.

The altitude of these marine beds above the level of the sea is less than 800 feet, and in three localities they were found to range between 900 and 1000 feet. I consider these as corresponding with equivalent beds at the distance of 150 miles farther north. In this section of the State we have another illustration of those periodical elevations which form so conspicuous a feature in almost every district which has been visited, and which will prove a constant attendant of the traveler wherever he may wend his way.

The most eastern limit at which these tertiaries have been met with, is upon a line running north and south and cutting through Mormon Island on the south branch of the American River. The fossils beds will be found in the immediate vicinity of the following localities, viz: Texas Flat, Half Way House, Volcano Ridge, and Mississippi Flats in the county of Placer. The conglomerates on these table ridges are the same as those which pass beneath the edge of the valley, and it is in this section of the State, that the thickness of those rocks can be ascertained with a precision, sufficiently accurate for any practical purpose.

By reference to my notes taken at the beds, I find the following to be the order and thickness of the deposits as they occur at the different localities above named, and which are known to reach the edge of the plains immediately to the west. This table includes the rocks only, and such as are known to pass beneath the eastern border of the valley, and may serve to direct those operations which were spoken of in the preceding article.

THICKNESS OF THE SEDIMENTARY ROCKS IN THE SIERRA NEVADA.

East of the border of the Valley.

	FEET.
Argillaceous Slates, - - - - -	144
Conglomerates, - - - - -	312
Clay, sands and gravels, - - - - -	86
Total, - - - - -	542

At the border of the Valley.

	FEET
Argillaceous Slates, - - - - -	130
Conglomerates, - - - - -	270
Sand, Clays, &c., - - - - -	56
Total, - - - - -	456

The fossil drift beneath the conglomerate east of the plain is not perceptible to that extent which would guide us to any conclusion as to the depths to which it descends at the edge of the valley. Therefore no estimate is entered for this deposit in this table.

The survey of the U. S. Rail Road Expedition, for 1854, has demonstrated that the fossil deposits of this range of country, are continuous to the extreme southern portion of the Tulare plains. The fossils of Pose Creek appear identical with those of the counties of Placer and Sacramento, but I am unable to give their differences in altitude if any exist, as the observations which would determine that point, are not accessible at the present time.

Between the Tulare plains and the American River, there are some four or five other localities in which the tertiary deposits have been observed, and which contain imbedded fossils closely allied to those found in the localities specified; and the evidences thus furnished in relation to this subject are very conclusive in their character, as pointing to that period when the Tertiary seas had their boundaries far to the east of their present limits. A recession of the waters of the Pacific Ocean has therefore taken place, to the distance of 140 miles, since the period at which those fossils lived. A suite of these specimens for the State collection has been secured, from this very interesting portion of the State, a list of which will be found appended to this report.

We have now a more practical and economical view to take of this subject, so far as relates to the positions of these beds, and as this will involve a pecuniary interest in which the mining community are directly concerned, I solicit their particular attention, as well as that of the State authority, to the subject.

In order that a better understanding of the position of these rocks may be obtained, the following table showing their natural and relative positions is inserted. It commences at a point due north of Beale's Bar and continues west to the ends of the plains:

Beale's Bar.				
Texas Flat,				
Slates,				
Conglomerate,				
Fossil Beds,				
	94 feet Shaft.			
		Alder Springs,		
		Conglomerates,		
		Fossil Beds,		
Granite.	Granite.	Granite.		
				Plains

From the above table it will be seen that the 94 feet shaft which was sunk on what is familiarly known as volcano ridge in the county of Placer did not reach that point at which the drift deposit containing gold may be expected to occur.— This is proved by the fact that at Alder Springs, a short distance to the west, the basis rock is granitic, and the auriferous deposit is found lying upon it, and below the conglomerates and fossil beds to the east. The same fact is noticeable at two other mining localities to the south and west of Alder Springs, also in the flats some three miles to the north of Beale's Bar. There are then at least five different positions at which the fossil beds are known to lie above the auriferous drift, and the positions assigned to the beds under consideration in the table furnish the data on which to found the conclusion. They occupy the terraced positions as occurring at the points designated, denudation having caused the outliers to the west of Alder Springs. Similar peculiarities are also noticeable in some of the lower mining localities further to the south, where the workable placers are found to occupy a like position among the hills a few miles east of the plains.

The position of those beds as they are found to occur in the lower hills, and where also the best opportunities are offered for their study, leads us to the conclusion that

during this portion of the tertiary era a submarine deposit of drift was formed and that subsequently the superior conglomerates had their origin, and are now found superimposed upon the deposits above named. Should this doctrine be finally demonstrated by more extensive and well directed improvements in mining operations, and the facts before us at the present moment most certainly favor the presumption that it is probably correct, than a new and wider field for mining operations is soon to open in this district of the State, and we may reasonably expect to meet with deposits equally valuable beneath these rocks in other parts of the State, on the same line of elevation, as those which have already been developed in the counties of Placer and Sacramento.

In this State it is well known that numerous instances have occurred in the mining districts where the miners have passed through the sedimentary rocks, (slates,) and found the deposits of gravel drift beneath, the same containing gold in fully equal quantities with that found in the surface material above them, and which was thought the foundation stone below which no gold would be found. These suggestions are not made as bringing to light any new principle in relation to placer deposits, for facts of similar character have been known for three years past in different sections of the State. The present case relating to the placer deposits of the counties of Sacramento and Placer, may be regarded as corroborative testimony of our former knowledge, and the existence of a much more extensive range of this character, than has heretofore been discovered.

The position of these auriferous deposits in the counties above named, and the corresponding character of a large portion of country lying north and south of the above section is adverted to at the present moment for the purpose of directing attention to those districts near the foot-hills which present similar features, and which are as yet untouched. These districts on either hand having the same altitude above the plains present equal certainties of the existence of the same deposits as those met with in the county of Placer. Under the head of placer mining, I shall have occasion to allude to this subject again.

The other members of the tertiary group on the foot-hills of the Sierra Nevada, consists of sandstones and clays, the most important of which are found upon the Cosumnes and other rivers south of this stream. The sandstone beds as far as examined have every appearance of being much more recent than any member of the stratified rocks of which we have heretofore spoken, and their position is evidently unconformable with the latter, resting very evidently on rocks having a much higher degree of inclination. In favorable localities for their examination, I have found their depth to exceed 110 feet. An instance of this kind is afforded upon the banks of the Tuolumne River, at a distance of two miles east of Jackson's Ferry.

As a general rule, these rocks have been but little, if any, disturbed, having but a slight inclination from the horizontal, and it might be said none, except that which is found to correspond with the gradiancy of the plains beyond, and seldom exceeding two or three degrees. Immediately east of these deposits, and as you enter the hills, the other sedimentary rocks are seen cropping out and assuming high angles of inclination which are found to increase as you travel in an easterly direction.

Sufficient opportunity did not offer for a more critical examination of the recent sandstones than that of a mere passing notice. It would be desirable that they should receive a closer investigation during the coming season, than was afforded, from want of time during the past summer. Their proper place in the tertiary formations must be deferred until that time shall arrive, when we shall be able to speak with more precision in relation to the peculiarities which they may present. The older tertiaries in the more elevated portions of the mountains are more or less auriferous in nearly every locality in which they have been examined.

The soft clays which are at times found between the slates and conglomerates,

and the gravel beds which are also found beneath the latter, are of the same character in as marked a degree as the drift beds of the surface which are imposed upon them. So far as those beds have been opened there appears little or no exception to the rule.

Within the last year the older conglomerate rocks have been found to contain gold, but not to that extent which would warrant mining explorations. The fact, however, is sufficiently well established to require notice in this place.

The sedimentary rocks extend eastward in the more central mining counties to within twelve miles of the summit ridge of the chain. Here a few imperfect fossils have been found, but none of sufficient distinctness to determine either their geological position or character with any degree of certainty. It is proper to state however that there are some evidences of the cretaceous, or perhaps, the upper secondary rocks being found in those districts, though as yet it is a matter of much doubt, arising from the imperfect condition of the organic remains found imbedded within them.

The following table exhibits the approximate depths of the superficial coverings of the mountain mining districts, in which that department of industry is conducted. The table is intended to represent the more central line of country which corresponds with the trend of the chain, and is usually found at a distance (air line,) of about forty miles from the eastern border of the plains. It will include in its range the towns of Forest City, Nevada, Georgetown, Volcano, Mokelumne Hill, and Sonora.

TABLE.

Sierra.

Gravel drift	-	-	-	-	-	-	60 feet
Light gray and blue clays	-	-	-	-	-	-	15 "
Blue clays	-	-	-	-	-	-	15 "
Gravel and sands	-	-	-	-	-	-	30 "
Clays, with lignites	-	-	-	-	-	-	18 "
Blue clays	-	-	-	-	-	-	25 "
Clays, with leaves	-	-	-	-	-	-	8 "
Auriferous gravel	-	-	-	-	-	-	18 "
Slates	-	-	-	-	-	-	22 "
Primitive rocks.							

Total, - - - - - 201 feet.

El Dorado.

Gravel drift	-	-	-	-	-	-	60 feet.
Blue and brown clays	-	-	-	-	-	-	20 "
Cemented drift, clays, and lignites	-	-	-	-	-	-	40 "
Sand clays	-	-	-	-	-	-	20 "
Clays, with leaves	-	-	-	-	-	-	10 "
Sandy clays and lignites	-	-	-	-	-	-	10 "
Coarse sand, pyritous	-	-	-	-	-	-	4 "
Auriferous gravel	-	-	-	-	-	-	25 "
Primitive rocks.							

Total, - - - - - 189 feet.

Amador and Calaveras.

Gravel drift	-	-	-	-	-	60 feet.
Clays and sands	-	-	-	-	-	40 "
Plastic clays	-	-	-	-	-	50 "
White clays	-	-	-	-	-	30 "
Cemented gravel and clays	-	-	-	-	-	45 "
Clays, with silicified woods	-	-	-	-	-	15 "
Auriferous drift	-	-	-	-	-	30 "
Primitive rocks.						
Total,	-	-	-	-	-	270 feet.

Nevada.

Gravel drift	-	-	-	-	-	80 feet.
Blue and yellow clays	-	-	-	-	-	20 "
Blue and gray sandy clays, with leaves	-	-	-	-	-	30 "
Gravel and light clays	-	-	-	-	-	50 "
Gravel and brown clays	-	-	-	-	-	10 "
Sands, gravel, and petrifications	-	-	-	-	-	8 "
Auriferous drift	-	-	-	-	-	40 "
Primitive rocks.						
Total,	-	-	-	-	-	238 feet.

There is much uniformity, it appears, in the general character of the superior coverings of the primitive rocks in the placer ranges, and no little coincidence in the material which makes up the great mass of these beds; as much, at least, as the different sources from which the detrital materials were derived would permit; the modifications that may be present in any of the beds being produced entirely from local circumstances.

There is one feature, however, that is deserving of notice, and which is strongly marked throughout the State; one of which will enable us to arrive at a much better conclusion relative to the age of these deposits, than any relations which their lithological characters present; this is the close similarity which is manifest among most of the lignites and dycotyledonous leaves found in every portion of this part of the State, as well also as in many parts of the coast mountains. The beds that produce these forms in the mining districts have been placed in the tables as they occur in nature, and we may thus see at a glance the position which each of these beds hold to each other.

The peculiarities connected with the distribution of these remains, leads to the conclusion, that a great uniformity of climate, and other conditions, prevailed for a long period after the disturbance of the older tertiary slates; this is proved from the fact, that comparatively little if any disturbance is manifest during the age in which the drift beds were being deposited. Notwithstanding these beds are elevated considerably above the sea, they do, in most cases, preserve their conformability with each other, and are unconformable with the slates on which they at many points rest. This may be regarded as one of the evidences of a persistent elevatory action going on through all the periods of the latter, as well as some of the earlier portions of this epoch. It would be a difficult task for the observer to define, with any degree of accuracy, the differences of age between the one part of the state and that of any other, so far as these particular deposits are concerned.

The close similitude in most of the fossil vegetation found in the drift beds, would render it difficult to define from what portion of the State any one suite of those specimens may have been taken. I have the impressions of leaves from the counties of El Dorado, Tuolumne, and Trinity, (the two latter counties being two hundred and seventy-five miles distant from each other,) that a close observer would be very likely to declare as having all been taken from the same locality. These organic forms are now in the hands of gentlemen fully competent to define their generic and specific characters, and whenever their investigations shall have been completed, the same will be placed before you.

PLACER MINING.

This branch of industry in this State has been prosecuted with much vigor during the past year, and many new discoveries of placer deposits have been developed within the past season. Those who have engaged in the heavier operations of this department, have carried their workings to an extent heretofore unparalleled in the history of mining in this State, the details of which will be noticed more at length in the following pages.

In the present article I shall review, briefly, the history of this branch of industry, and adduce such testimony of their probable continuance as has fallen under my observation, and such as will be found supported by facts alone.

There has been much discussion abroad relative to the probable continuance of the placer deposits of California, and attending this discussion, a manifest disposition among Atlantic writers to underrate the capacities of the State for the production of gold. So far as the personal interests of such individuals are involved in this question we have nothing to do; but when the publication of such articles are carried to an extent that a public injury is sustained upon our shores as a consequence, then it becomes a duty we owe to ourselves to speak in defence of the State of our adoption, and place the question before our friends and relatives abroad upon that basis upon which alone it can stand.

We shall, therefore, confine ourselves to facts, as developed within the past year and the year preceding, which will define, to some extent, the areas of the placer ranges on the western slope of the mountains; and it is to be hoped that they may prove sufficient to convince such as may be seriously affected with melancholy for our future fate in this particular, that they are in no danger of sinking deeper into the slough of that insolvency which their over-heated imaginations have prepared, from any failure, on the part of this State, to produce even an increase on her past annual exports. The commercial circles of the East, have been saved from bankruptcy by our exports, and we shall still continue to exercise the same paternal care over their interests as formerly, provided they will relieve us from accepting the entire produce east of the Rocky Mountains. Since 1849, we have had but a reiteration, from year to year, of this doleful prognostic, and this in the face of a continual advance on each annual aggregate exported from our shores, until now the public mind has become less sensitive to the dismal moan, which greets the eye or ear from some portion of the Atlantic board on the arrival of almost every mail.

The failure of an arrival of the accustomed number of millions per month to the Atlantic cities, is found to create a feverish panic among our distant friends, which is to be regretted, as an injustice to the people of this State usually follows such a contingency, from some portion of the Atlantic board. This arises from the fact that parties abroad do not possess the local information of those causes which are productive of such a failure, neither could they properly appreciate the same, were it in their possession.

The only regret to which we must submit in this matter is that, as a State, we have exported too much ; but the prospect is that in the future we shall export much less gold than formerly. The report of the Controller of State for this year shadows forth the long wished for advent of confidence in capital investments for home improvements, and is a true exhibit of our resources ; showing that, notwithstanding we have an increase of one million above our exports of the preceding year, yet we still have added to our home capital, permanently invested, fourteen millions, within the same period.

In my report of last year, it was stated that the placer ranges were at that time known to extend nearly to the summit ridge of the mountains ; but this year it has been ascertained that they pass beyond the ridge, and are now found on the eastern declivity, having nearly the same altitude as those occurring on the opposite side. Within the past season, many of these deposits have been examined, and thus far are found to be equally productive with those of similar ranges to the west, and, with a favorable season ensuing, they will be largely occupied.

This increases the breadth of the placers, in the more elevated districts, about nine miles, and the length between twenty-five and twenty-seven miles, on a line parallel with the trend of the mountains. This additional field is what may be denominated "dry diggings." Still they will prove available only during the summer season and early part of autumn, from their altitude and local position.

Since my last report, I have been enabled to trace the "Eastern Blue Range," for a distance of thirty miles south of the point at which it was left last year, and, as far as examined, it possesses most of the general characters that were mentioned in relation to this district at that time. Its line may be defined to a considerable degree of accuracy by the following localities :

South of the middle branch of the American River, it is found at what is known as Cement Hill, being part of the same range of the Mameluke Hill, a short distance south of the former. Extending in a southerly direction from the vicinity of Georgetown, it is next met with at White Rock, some sixteen miles distant, and about three miles east of Placerville. In this section of country, the outliers of the range are distinctly seen, forming level ridges for long distances, the latter surrounding small basins or forming the flanks of broad ravines, similar to that known as Coon Hollow, and other adjacent localities. From Placerville it extends in a southerly course for eight miles, and it is again met with some three miles east of the town of Ringold, forming a flat table, of small extent, on the side of a hill facing to the southwest. From this locality it assumes a more southeast course, and is again seen on the sides of the hills forming the banks of Indian Creek, in the county of El Dorado. This is the most southern limit to which these placers have been traced with any degree of certainty.

A course a little east of south would bring this line of deposits in the vicinity of the town of Volcano, in the County of Amador, but it is yet quite uncertain whether this mining town is absolutely upon this range of placers, or whether it passes to the east of the high ridge back of this locality. From what observations I was enabled to make at Mokelumne Hill, and also south of this point, I am inclined to the belief that if it passes through this section of the State it will be found to the east of these latter towns, at distances within eight or twelve miles. The high table ridge to the east of Chilian Gulch possesses many of the external features which mark this range in other parts of the State ; but the conglomerate beds found adjacent to this section indicate this to be of much more recent origin than the placers under consideration. The absence of any fossil remains from this district renders it difficult to form any conclusion that would be satisfactory on this point ; it will therefore be omitted until such times as farther investigation may be had upon this immediate vicinity.

We will now turn to the more particular consideration of the placer, as far as known, and examine its capacities for production, with other characteristics that mark it in its course.

The line of the deposit has now been traced distinctly for a distance of one hundred and thirty-six miles, in an almost continuous line, and upon it are now located many of the most valuable mining districts of the State, on which the heavier investments of capital have been made for its successful workings. From the nature of the ground and its location, being very remote from the plains, and in many cases difficult of access from its elevation even above the adjacent country, it necessarily has required a much greater outlay of capital to develop its treasures than any of the districts lying to the west of it and improved as mining ground, and thus far has yielded a proportionably greater amount of gold.

So far as these districts have been opened, they have fully sustained the character which they have heretofore acquired, and particularly noticed in the preceding report, viz: *that in no instance, up to the present time, has this placer failed to reimburse the money expended in opening the ground, reaching the lead and returning a handsome profit to the adventurer.* This cannot be said of any other range of placers in this State.

Up to the month of November last, there had not been an abandoned claim upon the range where the works had been conducted with the view of reaching the lower lodes of the range, and no failure has occurred in striking the lode where the adits have been driven at any sufficiently low point.

From these facts alone, it will be seen that placer mining is not altogether a game of chance when conducted with skill, well-directed and practical judgment, and it teaches, also, another valuable lesson, which is, that segregated labor and capital is not sufficient to cope with the heavier branches of placer mining, neither is it as profitable in its results as when otherwise and judiciously directed. This branch of industry in this State has taken that place at the present time, which strictly entitles it to the appellation of a science, and he that would fully appreciate it should witness it. Placer mining to California is what coal mining is to Pennsylvania, and the great coal districts east of the Rocky Mountains, and we are fast approximating that day when its subterranean operations will equal, and in many instances exceed the latter. Should there be those who foster doubt on this point, and doubtless there are many such abroad, I would respectfully suggest to such a visit to the upper portions of the counties of Placer and El Dorado, with those of Amador and Calaveras on the south, and those of Nevada and Sierra on the north. In these counties they will find an ample field of operations, on which they will find but little difficulty in forming an opinion of the character and extent of the workings beneath the surface and the means employed to consummate the end. They will find the engineer with his levels as carefully adjusted and applied as though his survey was instituted for the leveling of a rail track, and the necessities of accuracy in the selection of the most feasible point to tap the heart of the mountain is equally as great in the one case as in the other.

The placer miner of the present day in this section of the State, estimates the costs of the operation on which he is about to enter with all that care and attention that would be bestowed upon any other enterprise where the sum of ten to thirty thousand dollars is the sum to be invested, and where his interests are involved to that extent. It is not uncommon to find amounts equal to the above, invested in our larger operations now in progress of working, and a few instances among many, may serve to illustrate the fact. I will mention but two or three in connection with this part of our subject.

The cost of opening the Mameluke Hill, near Georgetown, by the parties interested, exceeded forty thousand dollars, while the receipts from the same during the period of little more than one year, has exceeded five hundred thousand. Another case is that of Jones's Hill, the opening of which has already risen above thirty-four thousand dollars, the receipts being above two hundred and eighty-four

thousand dollars; and still another in the County of Nevada, (Laird's Hill) the expense of opening was nearly forty thousand dollars, while the receipts from the latter in June last, had reached the sum of one hundred and fifty thousand—the resources of either are as yet in any thing but an exhausted condition. The above are mentioned only for the purpose of conveying a better idea of the expenses and profits of what is denominated deep mining, in this State, and the localities named form but a small proportion to the aggregate of similar workings.

In the counties of Nevada, Sierra, Placer, El Dorado, Amador and Calaveras, there are scores of adits and other workings of smaller dimensions, which have already cost sums varying in amount from ten thousand dollars upward to the figures given above, and from which proportional profits have been derived. The mining districts abound with evidences of wealth like those above, and they possess equally as strong evidences of permanency of character, and it would be no difficult matter for the incredulous to banish his incredulity, if he will but take the trouble to investigate the facts which nature and individual enterprise have placed before him.

An idea of the necessary expenses that must be incurred in conducting these branches of placer mining, can be obtained only by an examination of the adits which have been driven in prosecuting these labors. There are but few which are less than three hundred feet in length, and many that range from ten to twelve hundred feet, and of a size sufficient to use a horse within for the purpose of delivering the earth to be washed at the sluice or the attle to the end of the tram-road. These adits are driven in some cases hundreds of feet through solid rocks, and when thus conducted they often penetrate the very centre of a mountain, or as in the case of the high ridge south of Placerville, they have not only reached the center, but have passed entirely through the ridge.

In other parts of the State, the heavier placer operations are conducted in a different manner. In place of the adit, a broad ditch is carried through the hill, and the entire hills removed to their base by hydraulic washings. This system of working, as conducted in this State at present, will compare very favorably in magnitude with any system of mining operations of the Atlantic States, or even in many parts of the older continent, and from the success which has thus far attended it, it bids fair to advance much beyond the limits to which it is now confined. Five years have elapsed since the mines of this State were worked to any considerable extent. The area that is now known to contain valuable deposits of gold, is believed to be at least six times greater than that which was developed during the years of 1848 and 1849, while the number of miners actually engaged in the extraction of gold is less than those of 1852, yet the export of the year last past exceeds by nine millions the total exports of the former year. Under these circumstances, it is rather a forced conclusion to arrive at, that the mines of the State are in any way likely to recede from their former productions; and we would suggest to our friends abroad, that it is time they had divested themselves of the idea too long prevalent, that our placers will soon become exhausted, or that the workings consist in mere surface scratching, without depth or probable continuance. We have evidences that should prove satisfactory to reasonable beings, that they are something more than an ephemeral show, as all known facts in this State are opposed to that position, and they are abundant for two hundred miles of the length of the eastern mountain chain.

In order to convey a better idea of the mining districts they will be divided into three distinct ranges, denominated the Upper or Eastern Range, the Middle Placers, and the Valley Mines. This has now become necessary from the fact that the characteristics of these districts are as distinctly marked as are the

northern, middle, and southern portions of the State. It separates also three evidently distinct periods of the geological history of this part of the continent, in which marked changes are apparent upon the surfaces that had emerged above the ocean during that epoch.

EASTERN RANGE.

This district extends from near the summit ridge of the mountains to within about twenty-five miles of the edge of the plains. It maintains a very uniform breadth of about twenty miles, and a length of one hundred and thirty, as far as known. It covers an area equal to about three thousand square miles, a large proportion of which is available as mining grounds.

In this district is situated the major part of what is known as the "dry diggings" which includes the towns of Forest City on the north and Placerville on the south. At the present time there is but a comparatively small portion of this district occupied and improved. Admitting, that of the area included within the lines of this district, but one-third of the same may be considered as containing placer deposits, we shall have for the immediately available purposes of mining an area equal to one thousand square miles.

A glance at the entire area which is now in actual occupancy on this range, and employed as mines in active operation, will convince those acquainted with the district that but a very small fraction of the available territory is as yet opened or in any manner improved. It is estimated that twenty square miles will cover that area and even this may be considered a large figure for the grounds so improved; amounting to two per cent. only, of the lowest aggregate that can be placed upon the unoccupied district of the range. It is doubtful whether there are men enough in this State (aside from those required for the transaction of other departments of business,) to occupy and improve even one half of the available mining lands that lie in the four middle mining counties of the State which at the present time is untouched, for it is pretty well ascertained that the absolute amount of ground in fourteen of the mining counties, now under improvement for those purposes, does not exceed five hundred square miles. The amount of territory in each county which is unoccupied forms a heavy aggregate against the other.

Of the eastern range of placers there are wide districts intervening between the settlements on the range, and an approximate idea may be obtained, of the extent of these placers, by citing districts that are well known, which will convey at the same time a better conception of the proportions occupied and the reverse.

The counties of Placer and El Dorado are fair examples of this district; they lie adjoining each other and are situated nearly in the middle of the State, and of the range. The deep workings of the above counties extend north and south for a distance (air line,) of thirty-three miles, the north fork of the American being one boundary, and the mountains and its tributaries being the other on the south; the breadth included in the above line and extending east and west is about fourteen miles. The mining towns within this district are Iowa Hill, Michigan Bluffs, Georgetown, Spanish Flat, Placerville, and other smaller settlements situated between the above and to the east of the line as given.

The area of the eastern range in these counties alone, amounts to four hundred and sixty-two miles, nearly one half of the aggregate amount for the State as belonging to this particular range of deposits; and when we recollect that

there are four additional counties through which their placers are found, the estimate of one thousand square miles will not be considered as excessive.

To those who are acquainted with the section alluded to, I have no hesitancy of submitting the above figures, for there is no object to be attained in presenting a fancy sketch of our available resources. We may draw upon facts for many years to come in regard to matters of this character, for the mining districts are possessed of an ample fund for that purpose.

It must not be understood that the "deep diggings" of this district are the only resources obtainable, or that they constitute the only deposits of gold in the range, for it is far otherwise. The entire surfaces of this range are productive of this metal; it was from the surface washings of portions belonging to this district of the State that a large proportion of the gold was obtained during the earlier periods of mining. These placers still continue to yield profitable returns for labor, though long since they were among the old workings which were considered exhausted. The returns from these old placers at the present time are attributable to the improved methods of mining that have been introduced subsequent to their first becoming abandoned, and the greater care which is now bestowed in washing the earth.

The placer miner of the present day will not exhaust the same quantity of ground that he would have done in 1850 or 1851, and at the same time obtain an equal and, in some instances, a greater amount of gold from one of these exhausted placers. We may, therefore, regard the surface deposits of these sections as prolific sources of wealth for years to come. This conclusion is based on the facts which past experiment has demonstrated, and which are acknowledged throughout the State by those who have given any attention to the subject.

In selecting the Counties of Placer and El Dorado as illustrative of the character of the eastern range of deposits, I would not be understood as expressing any preferences, of productive capacity or of a better defined range of these deposits; they were selected from the fact that they held a more central position in relation to the above than for any other purpose, and they do not, to my knowledge, afford any better illustration of the characteristics of this district, than the Counties of Sierra, on the North, or that of Amador or Calaveras on the South; in fact, this range is much better exemplified in the County of Sierra than at any point south of the latter.

MIDDLE PLACERS.

By this term is expressed that range of country which is situated at an average distance of about twenty miles from the line of the higher foothills, or having its western border within about four miles of the edge of the plains, comprising a district of country of twenty miles in width and three hundred in length, having a trend parallel with that of the mountain chain in which it is situated; it covers an area equal to about six thousand square miles.

On this range is situated what is denominated the surface workings, although there are some instances in which the deposits of drift containing gold lie nearly as deep as those alluded to in the preceding article. This, however, is not the general fact relative to these districts, and the labor and expense of extracting the metal, consequently, is not as heavy. The ordinary depth of the placer drift in this district, ranges between twelve and forty feet; it is composed of a more heterogenous collection of stones than the deposits of the higher range; in the latter the pebbles and boulders have but few varieties, while those of the

middle placers are composed of many; so much so is this the case, that it is often difficult to distinguish what rocks predominate.

The "bed rock" of these districts is composed mostly of slates elevated to high angles of inclination, or the same rocks changed by heat, in some cases to that extent as nearly to obliterate their former structure; their transition has been so complete that they have assumed the character of true porphyries; this must have occurred prior to the deposition of the drift as these deposits bear no marks of igneous action since they were deposited. In some localities the drift beds are found resting upon the granite direct, the latter rock often presenting evident marks of the action of water.

In examining the gravel from this district, we will often find the stones which are peculiar to the eastern range mingled with those of more recent date, and which are often found in closer proximity *in situ*; with the above is also found more or less of the smaller gold of the upper districts commingled with that which is incident to the middle sections of the State.

These facts naturally lead us to the conclusion that at the period in which the gravel drift of the middle placers were deposited that the country to the east was subjected to the action of floods which must have been somewhat violent in their character. I am not prepared to say at this time, that the deposits of this district of the State, were formed during the period of the NORTHERN DRIFT, for there are some features wanting to establish that point conclusively. Should the above fact be ultimately established, there are attendant circumstances that will prove the eastern range to have preceded that period, and which has been alluded to in former reports.

The economical value and extent of the middle placers, is the principal object of their notice in this place, and we will therefore direct our attention to that particular point. It is upon this range of country that the greater proportion of the mining community of the State are located, and more particularly upon the central and eastern portions of the same. The cause of this is obvious, for from the nature of the ground to be operated upon, segregated labor is more prosperous, and small companies with limited means can prosecute mining with better success and profit than in the heavier workings of the eastern range of placers. The labor and incidental expenses for facilities in the extraction of gold, are much less and more easily obtained as a general rule than in the former case; hence men who are possessed of limited means usually occupy the middle sections before entering the field of the more lengthy operations that are conducted in other districts.

This district of the State is but sparsely settled, at the best; and like many other portions of the mineral and agricultural sections, there is but here and there a few scattering cabins or small settlements, often for many miles. The placers that are spread far and wide throughout this section, are scarcely touched, or if so, they are marked by a few small shafts only, which have been sunk by some prospecting miners, in their rambles over the State in search for richer fields than those they left. It is often the case that these shafts have remained for two or three years after they were driven, when they have again become occupied by others, yielding profitable returns for small amounts of labor. It is from these very partial examinations of traveling miners made in preceding years, that some of the most valuable placer deposits have been developed; the hints thus given in the former case have been adopted by those who have subsequently followed, and have thus led to pleasing results.

The introduction of water by artificial canals into regions lying remote from natural streams has had the effect to develop further the fact, that but limited sections exist in this district in which the staple product of the State does not abound. From the above facts we should be led to infer that a much larger population than that at present found in these districts should follow under the circumstances: it should be thus, but there are causes which at present operate to prevent such a re-

sult, the principal of which, is the want of a sufficient supply of water to conduct mining operations to that extent which the character of the country require. The natural supply of this material seldom exceeds four months of the year, in amounts that would be equivalent to subserve the above purposes, in the greater proportion of the mining localities of this range, and this too at that season when labor is nearly suspended from inclemency of the weather. In order therefore that an extensive population should be found upon the unoccupied portions of this part of the mineral district, the introduction of water by artificial means becomes an essential requisite.

An increase of our mining population in any district of the State, has no tendency whatever to excite any fear of the exhaustion of the mines of that locality to which they may chance to wend their way; for it is now admitted that sufficient room for labor abounds in any of the mining settlements, for a much greater number than those who now occupy them. The introduction of water by canals through an unoccupied portion of the State, is as certain to bring in an active population along its line, as the fact that such an agent is known to exist, as it is well known that nearly the entire surface contains a sufficiency to largely pay for labor in its extraction.

So far as the middle placers have been opened, they have thus far proved productive to an eminent degree, and the new placers which had been developed within this range have, as far as known, proved fully equivalent to those which have preceded them, and there is no good reason that can be advanced for the untenable position that has been assumed, that the present theatre of operations is the *finale*, any more than for a similar opinion which was entertained four years since in relation to those localities at that time occupied, and which are still yielding their annual quota nearly the same as before.

VALLEY MINING.

We come now to the consideration of the lower and most western districts in which deposits of gold have been found, and which constitute the third and last in the order of arrangement.

The valley mines are those districts which are situated among the lower foothills of the mountains, and extend westward from thence into the eastern edge of the plains of the San Joaquin and Sacramento to the extent of three to five miles. These mines are distinctly traceable from Chico Creek in the County of Butte on the north, nearly to Snelling's ranch on the Merced River to the south, having a linear distance of about two hundred and fifty miles. The position which they maintain, or whether they exist at any point north of the first named boundary, and south of Fort Reading on Cow Creek, in the County of Shasta, I am at present unable to state, not having passed over that particular district during the past season. But the opinion may be safely entertained, that they are continued through the latter district, and that the placers of the Upper Sacramento Valley alluded to in the preceding pages of this report are but the northern termini of this belt. The valley mines are situated on what has been spoken of as constituting the higher terraces of the plains, and are composed of alluvial drift mostly, which have been derived from the lower hills adjacent to their borders. The gravel of the lower beds is usually small and composed of the pebbles found in the conglomerates commingled with the smaller stones which have been conveyed by the agency of water from the approximate portions of the middle districts. The gravel is usually much discolored by the ferruginous materials with which they are intimately commin-

gled, and all the beds containing gold, from the surface to their greatest depth partake in a high degree of the same peculiar characteristic. The deposits are found to extend to depths varying from three to eight feet, and rests on sandstone, slates or clay beds above the latter, and are the most shallow of any of the placer ranges as yet discovered in the State, and at the same time the most easily worked. In my report of 1853, the attention of the Legislature was directed to the peculiarities of this district of the country under the head of mineral resources, and which will be found on pages 21 and 22, of Assembly, Doc., session 1853. I recur to this subject again at the present time, trusting that this district may attract that attention to which it is entitled, hoping that some measure may be adopted that will have the effect of preventing those collisions which must ultimately ensue between the agriculturists and miners in regard to the occupancy of the lands.

It is incumbent upon me to define, as nearly as possible, the probable extent and local position, both of the agricultural and mineral lands, so far as the same comes within my knowledge; and for this purpose, this subject is again introduced, so that in sectionizing, hereafter, these districts may be distinctly marked, and their boundaries thus known.

It has been generally supposed that the entire valley lands skirting the foot-hills, possessed but limited amounts of the precious metals, and that when such lands containing gold were thus known, the deposits have been regarded as purely accidental. Such is not the case, however, and if it were, the same rule would be equally applicable to every other portion of the mining districts of the State. Since the days when that opinion prevailed, there have been circumstances occurring, at different times, respecting the true characteristics of these lands, which have had a tendency to modify the views then entertained respecting them, to that extent that those views have now become entirely obsolete, and the valley mines are now considered nearly co-extensive with the middle or upper districts, and they probably fall but little short of the latter.

So well defined is the mineral district of the plains, that, at the present time, there are not less than eight water companies who have extended their works to the foot-hills, and three of this number were distributing water four miles beyond the hills, into the plains, during the month of December last. In the central and more northern portions of this range, the extension of these canals is being prosecuted as fast as the nature of attending circumstances will permit, and from what is now in process of being completed beyond the line of the lower mountains, there will not be less than twenty-three of these canals discharging water on to the surface of the valley within the current year. In seven of the principal mining counties of the State, there are one hundred and nine companies engaged in the conveyance of water for mining purposes, and with this amount, even, there is not sufficient to supply the demand. We may therefore conclude that the small quantity which twenty-three flumes will convey to the valley mines will not probably amount to over eighteen per cent. of that which will be requisite for their operations.

Should an ample supply of water be furnished to open this entire range of placers, we have not a population sufficient to occupy and improve it, aside from those engaged in similar occupations in other parts of the State. A large proportion of these mines will, therefore, remain untouched for many years to come, and improved only in isolated portions, where the conveniences of water are easily obtained.

Most of those who are at present engaged in this district, are men who have formerly occupied themselves in the older and mountain districts since 1850, and are, therefore, capable of judging of the comparative value of a placer of this kind, with those of other sections. Their experimental knowledge is, therefore, of some value, as a criterion, to judge of the prospects of these mines, as being remunerative for labor, if no other more conclusive considerations presented themselves.

We will not stand upon the basis of individual opinions alone, in this matter, but will present an outline of the settlements upon this range of country. They will present the best argument of the capacities, progress and development of the mines, from the date of their discovery to the present time, and the character of these valley sections.

The localities situated along the line of these mines are well known in the State, and as a consequence, their comparative products will be easily estimated by those who have even but a slight acquaintance with the mineral products of the country.

Commencing in the county of Butte, the first mining locality is on what is known as Neal's Flat; following a southerly direction to Batte Creek, they are again found at Rich and Reeve's Bars, on that stream, and a few miles further south the mines are occupied in and about the vicinity of Spring Valley, and thence to the banks of the main Feather River; crossing this stream they again occur in the vicinity of Iowa Ranch, nine miles southwest of the town of Bidwell. Following the line of the foot hills to the Honey Creek, miners are engaged on both sides of this stream, and but twelve miles distant from the town of Veazie.

From the Honey Creek south, the next placers which are improved, are those upon the banks of the Yuba, in the vicinity of Ousley's Bar, being but fourteen miles east of Marysville. There are two mining camps near the edge of the plains between the south banks of the Yuba, before reaching Camp Far West, on Bear River, which is the next locality of any note. From this place to the American River, there are four localities in which these mines have been opened, and which run west of a line cutting through Massachusetts Bar, the lowest on the latter stream.

From the latter locality, we pass through placers three miles from Alder Springs, and in a southerly course from thence to the west of Prairie City. On the Consumnes they are again found at Michigan Flat and Cook's Bar, and following the plains they again occur four miles west of Ione Valley. South of the latter and along the western lines of the county of Calaveras to Jackson Ferry, on the Tuolumne River, and between that stream and the Merced, there are ten locations, known as mining camps or towns, the inhabitants of which will equal those of some of the more inland districts. The number of settlements on this range, at this time, amounts to thirty-one, several of which have been occupied for the past two years. This fact alone is sufficient to establish its character as a mining district, and it is one also that many hundred thousands in gold has been extracted from during 1854.

I have been thus particular in noting the localities situated upon this range, for the purpose of quieting if possible, some few of those periodic effusions which flow from the over-anxious conservators of the public good both at home and abroad, by exhibiting what may be considered an approximate outline of the area of our mineral resources so far as known, and to contradict plainly by statistical facts, (the bolder enunciation which too often appears in the columns of those who should be possessed of better information) that the mines of this State are in a depreciating condition, to that extent that either confidence or capital investment in either branch, may be considered a hazardous enterprise.

Another reason for the local details respecting the valley mines, as given, is for the purpose of eliciting that attention to the location of lands for agricultural purposes, which the statutes of this State and the United States prescribe in relation thereto, and to define as near as possible, the western limits to which the mineral lands in all probability extend; and due care in selecting lands for the purposes of agriculture along the eastern borders of these plains will ultimately save much expensive litigation and trouble.

The western limits of the mineral lands are generally well defined, and so distinctly marked that even the stranger may readily recognize them in passing across them. The following are the characteristics that will designate these grounds, from

those in which no gold has as yet been found, and which latter approximate and form in some few instances the eastern borders of the plains.

I will here quote from my report of 1853, the original description of this section of the State. I have seen no reason to change the opinion then entertained, but believe that all subsequent events to the present time are fully corroborative of that position.

"This district of country is situated in the lower foot-hills and immediately on the eastern edge of the valley. It maintains a very uniform breadth of about four miles, (from the base of the hills,) and is almost uninterrupted throughout the valleys adjoining the foot-hills to the east. A large part of the mining district of the county of Sacramento is a true example of these lands, though the principal range alluded to is situated a short distance west of those points in which mining operations are conducted at the present time."

This district is strongly marked throughout its entire extent, and in passing over it either from the mountains or from the valley to the mineral districts proper, the transition is so marked that it cannot fail to attract the attention of the most careless traveler. It will recur to the mind of almost every person who has passed from the valleys into the interior, that at the distance of some fourteen miles east of the Sacramento River, that he enters very suddenly a district of the plains thickly strewn with small *angular* pebbles of quartz, the belt is scarcely less than two miles in width at any point and in some places much broader, (extending often to four miles.) On reaching the eastern verge of the plains, the transition is equally marked and sudden as in the first instance; the *angular* pebbles disappear and a few round pebbles mixed with alluvium, replace them for a short distance, when these are immediately succeeded by the outcrop of the slates."

"From what the writer has seen of this district, I feel no hesitancy in saying that it must in a few years become the busy field of active and extensive mining operations, and I think this opinion will meet the concurrence of those persons who are intimately acquainted with the localities and are engaged in mining operations, at the present time, within the limits prescribed."

"It is not to be understood that this section of country will prove as highly productive in a short space of time as the superficial deposits of the interior sections, nor can it with any degree of propriety be expected, but as a compensatory principle, they will possess the double advantage of being readily accessible and though yielding a lower, they will render a more continued remuneration for labor and a surer prospect of success"

In quoting the first part of the last paragraph I would not be understood as entertaining the same opinion at this time, for the development of these placers since that day has furnished grounds for a change of opinion in that particular, and I take this opportunity to recall it.

Within the past year, where the advantages of water in sufficient quantity existed to conduct operations in mining, these districts have yielded as fair average returns for labor as any district of the State. And though situated so far to the west and into the plains, where we should have expected to have found little else than fine "drift gold," it is proved that in the majority of those localities which have been opened, that metal equally coarse with much found in the more elevated districts has been taken from the valley mines. This fact is sufficient to do away with the idea that the deposits of the plains are merely accidental, as they have been termed; they have evidently been derived in a great measure from the breaking down of the adjacent sedimentary rocks, which contain veins of auriferous quartz, the disintegration of which has furnished the material which we now find distributed throughout the range, and from that cause we may expect that these placers will prove equally advantageous for operation on an extended scale as many of the more ancient beds of the Sierra Nevada.

The limits of that district, containing gold upon the plains, I should estimate as carrying a line parallel with the foothills and at a distance of four miles west of the latter, and which should be considered mineral lands in the strictest sense in which that term is applied, and they should be subjected to the same jurisdiction that now obtains in the mountain sections. Such lands under our present system of laws are not subject to entry, and the fact is thus mentioned that their position may be better understood.

From the best information obtainable from all parts of the State, it is believed that the amount of ground in actual occupancy and under improvement for mining purposes does not probably exceed four hundred square miles, one fourth of which area may be included in what are known as old placers, and which are still productive. During the year 1852 it was estimated that one hundred thousand men were engaged in the extraction of gold, (this is probably a close figure) a much greater number than has been employed since that time, and whose aggregate product for that year amounted to the sum of forty-five millions of dollars. Taking as a basis the returns of the last census from which we find that the total number of inhabitants in the mining counties for that year amounted to one hundred and forty-three thousand (allowing thirty thousand for El Dorado not returned) of sixty per cent. of which number were probably engaged in the actual process of mining or a total of about eighty-six thousand thus employed for 1853.

This is probably above the actual number employed during 1853 and 1854, as a very large number of those formerly engaged in mining have employed their time, since 1852, in agricultural pursuits. These estimates may be considered approximations only, but taking the highest possible figure that can be given for those employed for the years 1853 and 1854, (eighty thousand) the following proportional results for labor will be found; the actual working time, in this branch of employment, in this State, being about eight months of the year. The figures below comprise those only which have appeared in manifests, with the exception of those of 1854, in which the deposits at the Mint for coinage and bars during the months of November and December are included with that known to have remained on deposit in different parts of the State, and which was the product of the year last past. The two latter sums make up an aggregate of little more than eleven millions, which, with the exports of 1854, amounts to the sum of sixty-one millions that is known as the product for that year :

TABLE OF EXPORTS, PRODUCT, AND AVERAGE WAGES.

		Exports and Product.	Miners.	Average Per Annum.
1852,	- - - -	\$45,000,000	100,000	\$450
1853,	- - - -	56,000,000	86,000	670
1854,	- - - -	61,000,000	86,000	700

The above is certainly a much better remuneration for labor than can be found in any other State of the Union, and is fully corroborative of the fact long since stated, that our mines are absolutely yielding a higher income at present, than at any former period, with a less amount of work expended. There are no pretensions to accuracy in the above figures, as no fractional amounts are included, which would have swelled the amounts given, to a material degree. They are intended to convey but a general idea of what labor will command in the mines of the State, from one portion of the mining sections to any other extremes thus far known.

From what has been said of the areas comprised within the lines of the different ranges, as given in the preceding pages, it will be seen that we have still enough

and to spare for all who are present, and for all that may hereafter arrive, for at least the next half century. There need be but little fear of their failing to yield their annual crop of gold, as long, perhaps, as our valleys will yield their crops of grain.

The aggregate areas amount to about eleven thousand square miles, that is known to contain gold; and, when this is compared with the area actually occupied, the latter will be found to comprise but a mere mite of our available resources. With our present population of the mining districts, and the broad expanse of territory over which they are spread, they appear like mere specks, dotting the surface of an inland sea, so indistinct as scarcely to be appreciable on the broad expanse by which they are surrounded.

QUARTZ VEINS.

In my report of last year, it will be seen that the quartz veins of the State were divided into separate groups denominated the older and recent groups, each having a different age and apparently belonging to different geological periods. These were again separated into three divisions, each occupying certain districts of the State, and the divisions of the older group were found running in lines nearly parallel with each other.

It will be necessary briefly to allude to the relative disposition of these veins among their investing rocks in order to obtain a better idea of the positions and relations of other veins which have been developed with the year that has passed.

That group which was denominated the "older," and which includes the eastern and more central line of dikes that traverse the inland districts of the State pursue a strike which is nearly north and south. This intrusion occurred evidently during the period immediately preceding the upheaval of the rocks belonging to the tertiary epoch, the proofs of which are found in the part that in no instance are they known to have disturbed the rocks of that date, though often found closely adjoining the latter, and which in some instances are found to overlie the dikes themselves.

The uniformity which these rocks present in their latitudes with the rocks by which they are invested, compels us to admit that they must be regarded as a distinct group, equally as marked in feature as are any of the different beds which go to make up any series found in the sedimentary rocks of any portion of the State.

To the west of this suite of veins, are found the more recent dikes, and which were called the "recent group." These extend from the edge of the plain eastward for about fifteen miles, and in some few instances have been found intruded among the rocks of the preceding period.

The peculiarities that remove these veins from the former, is found in the fact that they have disturbed not only the primitive but also the most recent of the tertiary rocks of these districts, and as late as the *pliocene* group in other parts of the State, abundant evidences of which are met with in many parts of the coast mountains.

The course of the recent dikes diverges from those of the older at an angle of about twenty-four degrees, their mean trend being south twenty-four degrees east, and north twenty-four degrees west. Were these peculiarities merely local, we might with some degree of reason assign to the entire series a contemporaneous age, the characteristics noticed pervade so great an extent of country that

we should find some difficulty in demonstrating that they made their appearance among the other rocks during one and the same period.

In addition to the preceding series we have now to consider another and distinct set of veins which have been developed and clearly defined during the past eighteen months. These are the east and west veins, which often cut former dikes at nearly right angles, and when first seen were regarded as branches of the north and south lodes; but subsequent observation has established the fact that they are an entirely independent group.

At present there are eight localities in the State at which these veins are known to occur, four of which are found to cut the older veins, and the others are located among the slates of the tertiaries. We have no means as yet of determining the fact with any degree of certainty, whether the east and west veins are older or nearer than the tertiary dikes, but what evidences there are existing leads to the inference that they preceded the latter. This presumption is based upon the fact that where the east and west veins are noticed among these rocks, there is not the same evidences of disruptive agency as at those points where they are found in contact with the older veins. The information in our possession relative to these dikes throughout the State, is such at present that we are enabled to arrange them in somewhat a more systematic order than has heretofore been presented.

The table below will present at one view the different systems that are at present known, and which are beyond all question; but it is not to be supposed that those presented comprise all that will ultimately be developed among the metalliferous lodes of the State. Others might be added to the present list were we to adopt the plan of arranging a system from surface features alone, but we prefer waiting until those lodes which present indistinct evidences of being unconnected with the others shall have been definitely settled by subterranean openings, for nothing can be lost by the delay.

SYSTEMS OF VEINS

- No. 1—North and South Veins.
- No. 2—East and West Veins.
- No. 3—Northeast and Southwest Veins.

The above are the only lodes yet known, and the former division of the groups will still be retained until such time as the effects of the east and west veins on the recent or tertiary dikes shall have been ascertained. The rocks disturbed by each system will be found as follows:

SYSTEMS.	GROUPS.	ROCKS DISTURBED.
North and South Veins.	Older.	Primitive.
East and West Veins.	Median.	Primitive.
Southeast and Northwest Veins.	Recent.	Tertiary Slates and Sandstone.

The dissimilarity in the metallic constituents of these systems is worthy of remark, as well also as the peculiar dispositions of the metal itself. In the first and second cases we find but little disposition to the crystalline form in any of the veins yet explored, while in the other, the metal more frequently assumes this character, and the percentage of silver is also much greater.

The constituents of the veins are equally well marked, the ores of lead are far more common in the east and west lodes than that usually found in either of the others. As a general fact, it may be stated that the metal from the placers in the immediate vicinity of these veins often bears but little analogy to that found in *situ* among the rocks of the district in which the latter are situated. It is not uncommon to find gold of a very low carat in a placer,

while that of a metallic lode adjoining would be correspondingly high, and the reverse of this is also true.

The gold of the North and South veins is usually destitute of any crystalline form with the exception of one or two instances, while that from the east and west veins possesses this character in a much higher degree. These lodes also contain the largest amount of other metallic compounds, as lead and copper, the first of which is frequently productive of silver; I have seen gold from one of these veins producing five per cent of that metal; the assay was made at the United States Mint of this State.

These points lead to interesting inquiries relative to placer gold, and when fully understood, will settle many of the discrepancies that now obtain in relation to the variable character of the metal produced from these districts; and will ultimately be the means of determining the relative ages of such deposits.

From mining explorations we are constantly acquiring information of the distribution of the metallic lodes of the State, and the day is not far distant when all the different systems of productive veins will be fully understood and their peculiarities noted with that precision which the necessities of this department of business demands, and an intimate acquaintance with the changes that occur in these lodes is now being understood as necessary in prosecuting this business with advantage.

There is a manifest disposition in the veins below the surface to produce silver, and as before remarked that tendency is much the strongest in the Median set of veins. Associated with the galena of those lodes, molybdenum and tellurium are common attendants throughout, and when these veins shall have been carried to near those depths to which similar operations have been conducted in other countries, we may confidently look for a supply of this metal that will be but little inferior to the present product of gold.

QUARTZ MINES.

The operations in this department have continued active during the past season, and the number of mines is on the increase. So far as the workings have been conducted on the lodes during the past year, there are no farther evidences of pinching out than was presented in my former report. But to the contrary, the majority of the veins have increased a little in power, or have maintained fully that to which they had arrived last year. The greater proportion of the mines have been carried to more depth than before attained.

Of the total number of mines reported in active operation during the year, there are thirty-one still engaged, nine of the number having suspended during 1854. Of the total number suspended, five can be considered but temporary, as two are erecting new reduction works, the other three have ceased to reduce ores from the inefficiency of their machinery, and it is not probable that they will again resume operations until the means of transportation is such that heavy freights can be conveyed to near the districts in which the latter are located. At present the only transportation to these sections is upon the backs of mules and horses, and those acquainted with the requisites of machinery for the reduction of ores will readily perceive the inadequacy of such material as could be conveyed over rugged mountain trails by the latter process.

The parties owning these mines have not abandoned the enterprise on which they entered, but will await the time when the avenues of communication afford advantages superior to those at present in use, and which will undoubtedly be opened during the present year.

The remaining four companies that have stopped their operations, I am unable

to give any cause for, as the parties who had the control of affairs were absent at the time I visited the districts. The report of those in the vicinity of these mines, in relation to the cause of their suspension, was not of a favorable character for their early resumption, but I should be unwilling to say that a mine was valueless upon such evidence, as private interests often exaggerate unfavorable circumstances above their true color. The four last are in reality all that can be considered as permanently suspended, and the five preceding are at the best but temporary, as three of the number will resume work about the beginning of June, and the remaining two probably as early as September next.

In the immature state of this branch of industry, and the inefficiency of machinery, with the difficulty of commanding often the necessary amount of capital to conduct these operations to a successful termination, the ratio of ten per cent. of those who fail cannot by any means be considered as very large. And when it is compared with similar transactions in this State little more than two years since, the above sinks into insignificance. Or, if we look to more distant regions, it will not be difficult to find more than a parallel in the operations that transpired in the early days of the Lake Superior mines. The history of mining, either in the United States or Great Britain, when carefully examined, will not present a broader margin of successes than is to be found in the gold mines of this State since it became what might be considered a settled business, and the position which they hold as sources of profit, with an increasing confidence, is the best proof of their value. As we are situated in this State, these mines are subjected to the most severe test which it is in the power of man to inflict upon a business of this character. It is the test of intrinsic merit, and though invidious clamors are at times uttered, and often by those who have never taken the pains to inform themselves as to their native richness, still these even grow fainter as each succeeding month brings to light new evidences of success.

Had we the same facilities of exhibiting the characters which our gold mines present, through the agency of mining journals and jobbing boards, like those in New-York, Boston, and the English Metropolis, we have no fear but that the mines of this State would take their position in the front rank of those operations. But unlike the mines abroad, they do not require at home the prestige which fancy paper throws around the many faltering institutions of our distant neighbors.

That our mines have thus withstood the violent assaults that have been made upon them by those who stand behind the scenes of a foreign press, and thus attempt to give a fatal thrust unseen, is one strong evidence that they inherit a vitality which it is beyond the powers of those in this State still thus employed to deprive them of. We have passed that day when either British *skill* or capital is required to foster these operations, and the evidences are strong, that under the circumstances, as they have proved themselves, we should have been far better conditioned had their attention been directed to other, and probably to them more congenial channels.

We had expected to have received instruction in the mysterious art of mining from a people who boast the knowledge of centuries of experience in that profession; but to their own astonishment, American miners in California have become their tutors. I would not be guilty of casting envious reproaches upon foreign friends, but justice to ourselves demands that the FACTS should come out.

Another argument which in itself carries weight in regard to the integrity of these mines, is the fact, that none of those at present engaged exhibit the slightest hesitancy in embarking in additional enterprises. This is proved from the fact of a constant addition of new reduction works in different parts of the State, and more particularly in those counties where the mines have been opened to the greatest extent. It is hardly a supposable case, to believe that men would thus

coolly invest in speculations that require sums varying from fifteen to fifty thousand dollars, which three years experience before them has demonstrated to be a failing and unprofitable business. We might torture the fact into such a conclusion, but the exercise of a little reason would be likely to dictate otherwise.

At the present time we find parties entering the field with new and increased facilities at their command, (and who, from mismanagement, in times gone by, have lost heavily) and are now realizing their most sanguine expectations from a judicious management of those operations in which they formerly failed to succeed.

The greater proportion of those who have embarked in this business within the past year, are men who have heretofore lost heavily in the same business. Their experience of former days taught them somewhat a severe lesson, but at the same time, they learned enough of the value of these metallic veins to inspire that confidence in ultimate success which they are now realizing in an eminent degree. This proves that their confidence was not misplaced, and the only error committed in the premises was too hasty and inconsiderate action, and the use of means inadequate to secure the desired end.

Gold mining in this State has arrived at such a point, that it is now looked upon by those in the least conversant with the business, as one of the principal and best employments for capital and labor; yielding a higher rate of profit for the means employed than any one branch of mercantile pursuits at present known in this country; and as an evidence of this it will be but necessary to state that several of the mercantile men of the larger cities have withdrawn their capital from their former pursuits and invested the same in the latter. It is a rare thing to find one of these mines doing a losing business, for it has become a settled principle, that the lodes will pay the expenses of opening the mine, and there are but few that do not do it.

Numerous instances of this character are found in the State, and so well has this been demonstrated that those who engage in this business seldom fail to realize that result. One of the best examples of this is the case of one of the mines in the county of Amador, the aggregate expenses of which, in opening their mine and the erection of their reduction works, amounted to seventy-one thousand dollars, while the receipts from the mine, consisting of ore removed from the shafts and galleries in opening, amounted to sixty-two thousand, the engine of the mill costing over twenty-two thousand. In this case the opening of the mine paid nearly the entire expenses of the concern. This is not an isolated instance, it is mentioned as illustrating what we have formerly said on this subject, and is stated as a fact which speaks louder than words.

Such is a brief history of the general phases which are presented in this branch of employment at the present time in this State, and with what has been said relating to this subject in my former reports, may serve, perhaps, to correct some of the erroneous impressions that still attach themselves to this important source of wealth, and which are as groundless as the wind. The sun of that day has set, when it will again be in the power of any man, or set of men, to again wreck that confidence which now reposes in the value of the gold mines of this State; their results have placed them beyond the reach of cavil, and beyond the shade of doubt.

In what follows I shall confine myself to such statistics of mines as are at the present time in my possession, with a catalogue of such new mines as have been opened during the past year, and also a notice of such mines as were in operation and unknown to me at the time of the publication of my former report.

LAFAYETTE AND HELVETIA MINE.

This mine is located in Grass Valley, and the diagram of their workings is taken from the lode on Lafayette Hill, one and a half miles southwest of the town. In this mine is found a heavy east and west vein, having a dip of about thirty-eight degrees, with a power of four feet at eight fathoms. The lodes of this hill have been fairly opened, and thus far present a somewhat envious feature to neighbors. The present depth of the workings are about eleven fathoms at the deepest point, the lode in the greenstone, with the above power and a tendency to advance from the latter. The underlie of the vein for about one hundred feet and immediately adjoining the walls, is a bed of hydrosilicate of magnesia of an extremely fine texture, containing gold. And the adit level of the mine, exclusive of the team-road for conveying the cattle to the mine-yard, is in its total length 1200 feet. Not increased from last year, it will be seen, in consequence of the change in the course in which they have been driving during the past year on the east and west lode. The working on the latter is near one hundred and forty feet, and thus far proved a fine quality of ore.

During the past season the company have erected a new mill directly upon the last lode. This is a most judicious movement on their part, as it will be the means of saving the neat sum of eleven thousand dollars each year which has been heretofore paid out for teaming. The arsenical ores do not increase much from last year, and the sulphuret of iron containing and investing the metal, is more abundant than formerly. The reduction works are carried by a twenty-five horse-engine, with a double battery of nine stamps each, and when in full operation is capable of reducing about thirty tons of ore per day. This mine employs twelve miners on the lode, day and night, while the aggregate of the other laborers amounts to twelve more; making a total of twenty-four.

The use of Cram's cylinder and Berdan's amalgamating apparatus, have been thrown aside as of little use, and inferior to the more simple and far less expensive methods that have been suggested from practical experience in this district.

OSBORN HILL MINE.

This mine is located two miles east of Grass Valley, on the above hill, and the Lawrence Hill adjacent. Vein has a strike north and south, with an easterly dip of forty degrees. The workings of 1853 have been abandoned for the purpose of attacking the lode at a lower point, some six hundred feet to the north of the latter, and thus drain the southern part of the lode. This has been accomplished by the sinking of their water-shaft to the depth of one hundred and sixteen feet, and which is fifty-one feet deeper than their former shafts of the old workings, and cuts the lode about 80 feet below the greatest depth reached at any former period. The amount of levels driven on Osborn Hill, and principally south of the deep shaft, exclusive of the extreme south workings, is four hundred and fifty feet, and upon Lawrence Hill three hundred feet; making a total of seven hundred and fifty feet thus exposing a heavy bed of good ore. The amount of shafting on both hills is near that of the levels; the mine is thus well ventilated. The power of the vein is three and one half feet, at the depth of twenty feet into the solid greenstone. Arsenical pyrites are plentiful among the ores of this mine. The full complement of laborers at this mine engaged in the lode, is thirty-two.

EMPIRE MINE.

Situated in Grass Valley, near the southern extremity of the town. This mine has been in active operation for two years, and their works have been uninterrupted during the greater part of that time.

Their principal lode is situated at Ophir Hill, one and a half miles to the east of their reduction works. The superior portion of the lode is situated in a decomposed granitic rock, and enters the greenstone at the depth of 103 feet, at the engine shaft A. The accompanying diagram is a general plan of their tower workings which is on a level with the bottom of the above shaft. The entire lode is very much decomposed, and the quartz matrix heavily charged with peroxide of iron; it is very seldom that gold is easily discoverable with the naked eye in any of the ores from this hill, yet is found to yield remarkably high in the reducing process. At the main shaft, A, is an eight inch lifting-pump, driven by steam to free the mine from water and also for bringing ores to the surface from level, B, and gallery, C, the same being conveyed from the latter down to the level through the winzes, 1, 2, 3, 4. The ores from the galleries, D, are delivered at the whim shafts, E, E.

The ground plan exhibits the extent of the workings in December, 1854, and from it may be gleaned some idea of the amount of ore immediately available, as well also as the very judicious manner in which the mine is conducted, both for convenience and economy. The ores from the lode, like all the other mines of this section, are breasted out, giving ample and convenient room for the disposition of the attle. The strike of the lode is north eighteen degrees west, with a dip of twenty degrees, and power of three and a half feet.

The complement of laborers at the mine is thirty-four, and including the reduction works it amounts to about forty men actively engaged.

JONES' AND DAVIS' MINE, AMADOR COUNTY.

The mine and reduction works are situated on the east side of a small tributary of the Amador Creek, the latter passing through the town of Amador one mile north of this mine. The top of the whim shaft C is one hundred and forty-five feet above the level of the creek, and ninety feet below the outcrop of the vein to the south. The shaft 4 on the vein is three hundred and sixty-four feet above the town of Amador. The design of the company in the working of their mine, as mentioned in the report of last year, has been carried out, the connection of the lower level throughout having been completed but a few days before I visited the mine this year. The mine, as now opened, presents the following arrangement: whim shaft C, 100 feet; south shaft, 140 feet; upper level, 280 feet; middle galleries, 150 feet; bottom levels, 180 feet. The amount of work completed within the past year is indicated by the dotted lines, and the total amount of excavation on the lode is exhibited in the dark shades of the accompanying diagram. The characteristics of the mine and the investing rocks, and reduction works, are seen by reference to the latter.

This company have erected a thirty-horse water-wheel and double-battery of eighteen stamps, their power is sufficient to reduce 25 tons of ore per day. They have discontinued the use of steam.

The full complement of laborers for this mine during the ensuing year, will amount to twenty-three; they have formerly employed thirty-four doing the opening of the lode.

KEY-STONE MINE.

Situated about three-fourths of a mile south of the former, and on the same tributary of the Amador. It is evidently a parallel lode with that of Spring Hill, and Jones' and Davis's mines, and is situated about twenty-five feet above the level of the Creek. The adit runs nearly east and west for the distance of one hundred and ten feet, at which point the lode is cut with a power of three feet, at nine fathoms from the surface. At the end of the adit, a shaft has been sunk through the lode for seven fathoms; its diameter is four and a half feet. This shaft is heavily timbered, and well ceiled, the planking and frame snugly jointed. It is one of those operations that partakes strongly of the character of permanency in its design and construction, like most other of the workings of 1854 in this branch of business. The diagram presents the work on the lode as now progressing. The old gallery at the end of the adit has been driven to 100 feet on the south, and 90 feet on the north. The gallery 18 feet above the end of the adit, has been carried 100 feet in each direction. The level at the bottom of the seven-fathom shaft is 94 feet, with a power in the lode of five feet.

This company have also abandoned the use of steam for power, and have erected a forty horse water wheel, and heavy battery at the old reduction works. They have also built another large mill south of the former, of equal capacity, in order to work their mine at distant points to better advantage.

The complement of laborers at this mine for the present is sixteen, but on opening the southern workings they will employ about thirty-five. Many important and valuable improvements have been made during the past year on this mine.

MIDIAN MINE (Lea & Johnson's.)

This mine is beginning to show its true character, a handsome lode and much decomposed at the bottom of the nine fathom shaft. At the bottom of this shaft, two short levels of forty feet each have been driven, which shows a power of three feet in the lode at those places. On the south end of the vein an adit has been driven sixty-six feet, at the end of which the lode was struck with a power of four feet, on this one level has been driven of fifty-six feet. The vein shows a fair prospect.

The company have erected their reduction works this year, but were not in operation at the time I visited the mine.

EUREKA MINE.

Situated near the town of Sutter, county of Amador. The whin shaft A, has been carried from seven to sixteen fathoms during the past year. The adit enters from the west, and is about one hundred feet in length. The upper gallery has been carried south of the adit a distance of one hundred and fourteen feet, and north seventy-five feet. The middle gallery is thirty feet below the preceding, and opens at the whin shaft, being driven on the north sixty feet, and south eighty-five feet. The level at the bottom of the sixteen fathom shaft, is one hundred and forty-four feet in length. The tramroad which was commenced last year has been completed for nine hundred feet, and is now within some eighty feet of the lode. The rocks are a graphic slate, very firm, and often charged with pyritic crystals.

The rich thread which commenced at the surface, and for fifty feet in depth, was highly piritiferous; is found at the bottom of the main shaft much more productive. The pyrites have ceased entirely at this depth, and the hilo is composed of metallic gold, not disseminated, but forming a true vein, at times exceeding three-eighths of an inch in thickness. The vein has been struck in an adjoining mine, about one thousand feet to the south. This is the only instance of a true vein of metallic gold having been found in this State.

The compliment of laborers in this vein is sixteen, and the capacity for reduction of ores about ten tons per day.

STATISTICS OF MINES.

During the past year I have obtained statistics from fourteen of the gold mines of the State. These consist of mines located in the counties of Shasta, Nevada, El Dorado, and Amador. The statistics consist of all general and incidental expenses, the number of operatives employed as miners, engineers, tenders, &c., with their wages per month; expenses of fuel, teaming, dead work, quantity of ore reduced per day, average product of the same, with monthly and annual receipts. These statistics were taken from the books of the companies, and may, therefore, be entitled to confidence as a fair exhibit of the character of this branch of mining.

To save time, and at the same moment render the subject more comprehensive, the aggregates of these statistics will be given:

Capital invested,	-	-	-	-	-	\$ 793,000
Net receipts,	-	-	-	-	-	1,483,000
Expenditures,	-	-	-	-	-	507,000

In addition to the above fourteen mines, there are thirty others which have continued in operation during 1854, and which, from the known investments of the preceding year, will give an additional investment of \$334,000. From the net proceeds of the fourteen mines above known, and their expenses, it would be safe to assume that the thirty not heard from, have yielded fully fifty per cent. on their capital invested. This, it will be seen, is much below the proportion of the first. This then would give for the total number of mines, an amount of capital actively employed, as follows:

Investments,	-	-	-	-	\$1,127,000
Gross receipts,	-	-	-	-	2,157,510
Total capital and products,					\$3,284,510 for 1854.

From the above it appears that the aggregate product of these mines is about four per cent. of the product of the State, as far as the latter is known with any degree of certainty.

The aggregate number of persons actively employed in extracting the ores, and in reducing the same, amounts to six hundred and ten, bearing a very small proportion to the great mass engaged in the other branch of mining in the State.

In regard to the above figures, I would state that they represent rather the minimum than the maximum of investments and receipts, and it has been a leading object in collating these statistics, to avoid those extravagant estimates, heretofore indulged in, with relation to this subject.

The above list of additional mines, with the number still actively engaged from last year, swells the aggregate number for 1855, to fifty-three mines in actual operation, and a net increase of thirteen from the preceding year over all that have suspended for any considerable length of time.

WATER COMPANIES.

The table below will give an approximate idea of the value and extent of our artificial water courses, constructed for the purpose of facilitating mining operations. The valuation in the aggregate of the counties are placed at those figures on which they are known to yield a profit of five per cent. per month. The estimates are based on a careful examination of the aggregate receipts of eighty-three of one hundred and nine companies included, and our list comprises but seven of the principal mining counties of the State. Much interesting local details was obtained, which the want of time this year prevents from appearing in these pages:

TABLE.

Counties.	No. Companies.	No. Miles.	Valuation.
Amador, - - - -	15	129	\$298,000
Calaveras, - - - -	12	165	397,000
El Dorado, - - - -	10	173	380,000
Nevada, - - - -	27	210	412,000
Placer, - - - -	11	160	369,000
Sierra, - - - -	14	137	180,000
Tuolumne, - - - -	20	185	446,000
Total, - - - -	109	1,159	\$2,480,000

LIST OF NEW AND RESUMED MINES FOR 1854-5.

The following is a list of those mines that have gone into operation within the year 1854, comprising those which have erected works for the reduction of their ores.

Name of Mine.		Location and County.	
Cræsus,	-	Auburn,	Placer county.
Canada Hill,	-	Canada Hill,	Nevada county.
Van Ammon,	-	Wolf Creek,	Do.
Orleans,	-	Grass Valley,	Do.
Whitesides & Co.,	-	Wolf Creek,	Do.
Rocky Bar,	-	Grass Valley,	Do.
Mount George,	-	Mount George,	Do.
Pacific,	-	Placerville,	El Dorado County.
Maryland,	-	Do.	Do.
Whitlock's,	-	Logtown,	Do.
Bryant's,	-	Do.	Do.
Fort John,	-	Drytown,	Amidor County.
Badger's,	-	Sutter,	Do.
Tuolumne,	-	Sonora,	Tuolumne County.
Orleans,	-	Do.	Do.
Experimental,	-	Columbia,	Do.
Sau Juan,	-	Mokelumne river,	Calaveras County.
Barleigh,	-	Do.	Do.

Mines omitted in report of last year, and still in operation.

Mount Pleasant,	-	Grizzly Flat,	El Dorado County.
Sierra Nevada,	-	Do.	Do.
Eagle,	-	Do.	Do.
Pocahontas,	-	Logtown,	Do.

ALTITUDES,

AS OBSERVED BY ANEROID BAROMETER.

County.	Locality.	Position.	Feet above tide level.
Sacramento,	Lexington House,	House,	141
El Dorado,	Smith's Exchange,	Natoma Valley,	325
Do.	Salmon Falls,	Bridge,	325
Do.	Indian Springs,	Top of Hill,	1,327
Do.	Pilot Hill,	Base,	1,288
Do.	Oak Valley,	Road,	1,240
Do.	Greenwood Valley,	Do.	1,511
Do.	Georgetown,	Main street,	2,484
Do.	Spanish Flat,	Hotel,	2,444
Do.	Kelsey's Flat,	Road,	2,486
Do.	Chile Bar,	South Fork American,	980
Do.	Placerville,	Main street,	2,058
Do.	Coloma,	River,	857
Do.	White Rock,	Top of Hill,	2,300
Monterey,	Infusorial beds,	Do.	310
Shasta,	Shasta city,	Main street,	912
Do.	Red Bluffs,	River,	184
Do.	Mt Washington Mine,	Mill,	2,028
Do.	Mt. Washington,	French Gulch,	3,028
Do.	French Town,	Clear Creek,	1,754
Do.	Mountain House,	Do.	2,000
Do.	Tower's Bridge,	Do.	1,112
Do.	Mountain House,	McLaughlin's Ranch,	3,154
Trinity,	Brown's Mountain,	Summit,	3,361
Do.	Trinity Do.	Do.	3,980
Do.	Weaverville,	Main street,	2,116
Do.	Lewis's Bridge,	Trinity river,	1,668
Los Angeles,	Los Angeles City,	Main street,	257
Santa Barbara,	Santa Barbara,	Mission,	188

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NOTE.

During the tour for 1854 a large collection of Marine Secondary and Tertiary Fossils has been made, with a variety of other mineral specimens, and as soon as arranged will be deposited in the office of the Secretary of State, with those of the preceding year.

JOHN B. TRASK.

Document No. 15.

IN ASSEMBLY.]

[SESSION 1855.

REPORT

OF THE

COMMITTEE ON CLAIMS,

ON THE CLAIM OF THE

City of Sacramento ag'st the State of California.

SUBMITTED, MARCH 14, 1855.

[B. B. REDDING, STATE PRINTER

REPORT OF THE COMMITTEE ON CLAIMS.

MR. SPEAKER :

The Committee on Claims, after a careful consideration of the claim laid by the city of Sacramento, through the petition of C. I. Hutchinson on behalf of the said city, against the State of California, would respectfully offer the following

R E P O R T .

The claim laid by the city of Sacramento against the State of California amounts to the sum of \$144,295 50, which amount, it is alleged, was expended by the said city between the 6th day of December, 1849, and the 3d day of May, 1851, for and on account of the sick and destitute, not residents of the city or county of Sacramento, and for the proper interment of those of this class who died within the dates above mentioned.

On account of the large amount claimed, the Committee has examined into the nature and cause of the claim with the closest scrutiny, and the facts that have been elicited show that the large expenditures made by the city of Sacramento were necessarily made to meet the exigencies of the times during the first years in the history of California, so strange and unprecedented in the annals of the world, when the hordes of worn out and scurvy-stricken immigrants from the plains, alike with the pilgrims to the shrine of Mammon enervated with long and tedious voyages around Cape Horn, by the Isthmus route, from the shores of Asia and the Isles of the Ocean, came pouring upon the Pacific coast.

It is well known that Sacramento, for apparent reasons, was the point to which the newly arrived immigrants converged.

The wearied, enervated and scurvy-stricken immigrant from the plains, finding no comforts or scarcely necessities in the mines, none of those attentions so essential to recuperate exhausted nature, no house to shelter him from the hot sun by day or protect him from the cold by night, and no medical aid—such was the infatuation of all classes and professions, that digging was the only way to realize their highest

hopes—was forced to seek shelter, a temporary home and charity at the hands of the citizens of the Valley City.

And, too, of the voyagers from all parts of the world who came by thousands through the Golden Gates to the city of San Francisco, such was the all-powerful influence of the mines, that few remained in that city, but took an early passage to the great center of mining trade, Sacramento.

The rich placers along the foot-hills of the Sierras were the goal which even every debilitated stranger on our shores spent his last dollar to reach. If an exhausted purse or exhausted nature compelled him to stop short of the object of his hopes, the place of his temporary sojourn, in nine cases out of ten, was Sacramento. Thus Sacramento, from her local position and the force of circumstances, became a hospital for the entire coast, a lazaret-house of indigence and disease.

During the summer and part of the autumnal months of 1849, the sick and destitute were dependent on the charity of private individuals, and the heavy burthen was borne by the generous-hearted Sacramentans till the 13th of October in that year, when a temporary city charter was formed, under which the city was governed until the adoption of a charter under the State Constitution, April 1st, 1850, which legalized all the acts of the previous one, which it superseded.

Under the "People's Charter," much active charity was dispensed by the city to the indigent and sick who came flocking in from every direction, and under that charter the claim laid by the city of Sacramento against the State of California was commenced. The early rains of 1849, no adequate protection having been provided against them, aggravated the miseries of the suffering, and brought on fevers of a malignant type, which swept numerous victims to the grave.

Such was the wide spread misery and suffering, that, notwithstanding the activity and humane efforts of the city authorities, the assiduous attention and untiring devotion to the cause of humanity on the part of the Odd Fellows and Masons, and the princely and constant contributions by private citizens, no amount of charity which the people of Sacramento were able to bestow could relieve the wants and necessities of the sick and indigent population.

Application was made, in this season of calamity, to the military Governor of California, in vain; and thus, when the sympathies and assistance of a nation were invoked and needed, Sacramento was thrown upon her own resources, crippled as they were with constant drainings, and, with an empty treasury and bankruptcy staring her in the face—such were the enormous rates of interest at that period—redoubled her efforts and attempted to dispel the gloom of the overshadowing affliction; and, though everything around seemed to say "die" she lifted her weak yet willing arm to save.

But Sacramento was doomed to still worse calamities. Early in 1850, the waters of the river came pouring in upon the city, destroying lives as well as an immense amount of property, and heightening, to an incredible degree, the sufferings of the diseased and indigent, besides imposing a still heavier burthen upon holders of property left by the flood, and calling more loudly for immediate and active assistance from the authorities in removing to places of safety the suffering and needy, and procuring the necessary medical aid and attendance, and for the burial of the dead.

During the summer of 1850, such was the influx of immigrants, into the State, a large proportion of whom centered for a time in Sacramento, that many poor, debilitated subjects for the hospital were from necessity, thrown upon the liberality, care and support of the city government.

The records of the times, and the facts brought before the committee, show conclusively, that during the year 1850 alone, the city of Sacramento disbursed for charitable purposes over \$200,000 besides the constant depletion of the purses of private individuals, by hapless mendicants who met them at every corner.

In October of that year, that direful scourge, the Asiatic Cholera, came to California and swept Sacramento with the besom of destruction. The impoverished stranger debilitated by an arduous voyage, or a tedious journey, dejected with want, exiled from the comforts of home and feeling that he was a stranger in a strange land, become an easy prey to the epidemic destroyer.

Hundreds thus in a few short weeks filled a stranger's grave, leaving nothing behind them but a debt to the city that performed the last acts of kindness and consolation, and granted them the rites of a christian sepulture. And for all this Sacramento now asks a partial remuneration at the hands of this Legislature.

The committee are satisfied of the fact that the amount expended, considering the nature of the times, was not lavishly expended, but as a general thing less prices were paid by the city than by individuals for the same services and articles; that the sums alleged to have been disbursed, were actually paid; that they were paid in money and for the purposes set forth in the petition and accompanying papers, referred to the committee by the House; that the whole amount of \$144,295 52 was paid to furnish necessary comforts, medical aid, and attendance to the suffering sick and needy from all parts of the State as well as all parts of the world, and for the proper burial of persons of this class.

While it is true that Sacramento had no legal right to assume the duties, responsibilities and liabilities, which she now contends belonged to the State at large, to have done less than she did do, would have branded her citizens with lasting infamy and disgrace.

She could not and did not let the forlorn and distressed stranger die neglected in her streets, but gave alike to them, and her own citizens in distress to the last dollar, and then pledged her credit for immense sums to bestow in alms; and under the heavy debt thus created, with its accumulating interest she is groaning to this day. It was one of those rare cases in the history of a State, that required prompt and efficient action, and it seems that Sacramento put forth her best and noblest efforts to meet the ends the crisis demanded. To have delayed, or hesitated would have largely swollen the lists of victims.

The justness of the claim in the opinion of the committee, is enhanced by the unhesitating and self-sacrificing alacrity with which the city of Sacramento took upon herself the responsibility, fit only for a nation to assume.

It has been proven to the satisfaction of the committee, that in addition to the large amount expended by the city between the 6th day of December, 1849, and the 3d day of May, 1851, for the relief of strangers within her limits, about \$125,000, was disbursed within the same dates to the sick and indigent of her own population. Besides it has been proven that about \$120,000 have been paid in interest on the claim which the city prefers against the State, and that no higher rates were paid than 3 per cent. per month, prior to the 13th of June, 1851, and no more than 12 per cent. per annum, since that time. It is also proven and is apparent from the papers examined by the committee, that about \$95,000 of the amount claimed was actually expended, before California was admitted into the Union, and before any legal municipal government recognized by the laws of the United States existed. It was at that time when the advantages of a territorial government should have been extended to California, and when had such a government existed the fostering care and aid of the Federal Union would have been justly required, and which that Union would have been bound to extend to the suffering city of Sacramento.

The general government has on one occasion sent our vessels of war, at the national expense to relieve the starving in a foreign land. How much more is she in duty bound to lend the aid of her mighty arm to relieve the distressed on her own soil, especially when in so doing she is assisting to build up on the shores of the Pacific one of the mightiest Empires on which the sun ever shone.

It is represented, and the information before the Committee sustains the conclusions, that while there is no hope that Congress will afford any relief to Sacramento in the case in question, it is not certain that the State, having assumed the claim, might not procure its allowance by the General Government. Such was the opinion of the Legislature of 1853, in the case of C. E. Pickett, whose claim was precisely similar a one to that for which Sacramento now seeks reimbursement.

That Legislature took care to exact a relinquishment from Pickett of his claim on the United States to the State of California.

In addition to the claim of Pickett other precedents are cited where the State has allowed claims of a similar nature; on one occasion money was appropriated to the City of San Diego, and another instance is familiar to all, where the State allowed a claim of \$27,000 to William Waldo for money and services expended mainly out of the State. Surely the State is not less obligated to take care of her suffering population, than of those who have not yet become citizens.

In short, the Committee is convinced that a majority of those who were the recipients of the liberality of Sacramento were not citizens properly of *any county* of this State. They had generally but just arrived in the State, and while it is probably true that they had been long enough within its boundaries to have become *citizens of the State*, it is not probable that they had acquired citizenship in any county.

If, then, they were not citizens of Sacramento, the taking care of whom required the expenditures, unless the argument is valid that any city or town, which from its locality or other circumstances must become the common receptacle of the needy of the State, a pest and dead house for everybody—is obliged to take care of and bury the paupers of any and all other cities or towns, how can it be urged with any plausibility or reason that the State should disregard the petition of the City of Sacramento.

Citizens of the State were, in a majority of instances, the recipients, and out of the general revenues of the State should come, in the opinion of the Committee, the funds to meet these expenditures.

It may be urged that the allowing of this claim will establish a precedent and open the door to other similar ones, to such an amount as to impoverish the Exchequer of the State, and that it is not a wise policy to admit a claim of this nature to the danger or injury of our finances. If it is not a *wise* policy in a pecuniary point of view, to the Committee it seems, that the object and design of every *wise* government should be, exact justice to every citizen, and every portion of the State, and as to the establishing of a precedent, by reference to the cases of Pickett, Waldo, etc., it will be seen, that we are but following precedents already established.

It will be seen by reference to the acts of the Legislature of 1851, that the State has acknowledged the validity of the claim as against the General Government, by the passage of a joint resolution instructing our Representatives to procure its payment by Congress.

The Controller in his report of last year virtually admits the justness of the claim against the State, and substantially recommends its payment so soon as the condition of the Treasury shall authorize it.

The embarrassing condition of the finances of the State has induced the Committee to be the more diligent in endeavoring to discover some good grounds on which to invalidate the claim.

Data have been sought from the expenditures of other cities and places in the State for like purposes, from which a deduction might be drawn, that Sacramento had suffered in common with her sister cities, and to no greater extent.

But no such data have been produced, and no one who has been an eye witness of the scenes of 1849 and '50 in Sacramento will believe that the city was otherwise than a grand lazaretto for the State

Your Committee are therefore compelled to report in favor of admitting the principal of the claim had under consideration, and ask the favorable action of the Assembly on the accompanying Bill.

Respectfully submitted.

E. G. WAITE, Chairman.

W. R. GOBER,
J. G. BREWTON,
H. M. C. BROWN,
H. P. A. SMITH.

Document No. 17.

IN ASSEMBLY.]

[SESSION 1855.]

COMMUNICATION

FROM THE

CONTROLLER OF STATE,

WITH REFERENCE TO THE

RECEIPTS AND EXPENDITURES

OF THE

STATE OF CALIFORNIA.

[B. B. REDDING, STATE PRINTER.]

COMMUNICATION.

OFFICE OF CONTROLLER OF STATE, {
SACRAMENTO, March 10, 1855. }

To the Hon., the Speaker of the Assembly :

SIR :

In reply to Assembly resolution of the 8th inst., "requesting the State Treasurer and Controller to furnish the House with a detailed account of the Receipts and Expenditures of the State of California from July 1st, 1854, to March 1st, 1855,"

The accompanying statements are respectfully submitted :

The Controller has no official knowledge of the receipts into the Treasury from the sales of the State's interest in the property within the water line front of the city of San Francisco, and has reported the amount derived from that source on the statement of the Treasurer of State.

I have the honor to be,

Respectfully,

Your obd't servant,

SAMUEL BELL,

Controller of State.

STATEMENT OF RECEIPTS

Into the State Treasury From July 1st, 1854, to March 1st, 1855.

From Amador county	-	-	-	-	\$	9,554	70
Alameda county	-	-	-	-		17,334	14
Butte county	-	-	-	-		15,380	10
Calaveras county	-	-	-	-		19,809	24
Contra Costa county	-	-	-	-		9,601	31
Colusi county	-	-	-	-		5,802	62
El Dorado county	.	-	-	-		46,180	61
Humboldt county	-	-	-	-		3,498	69
Los Angeles county	-	-	-	-		14,051	86
Mariposa county	-	-	-	-		12,607	85
Marin county	-	-	-	-		6,357	06
Monterey county	-	-	-	-		7,861	47
Nevada county	-	-	-	-		25,229	47
Napa county	-	-	-	-		7,012	40
Placer county	-	-	-	-		23,664	95
Plumas county	-	-	-	-		2,547	84
San Francisco county	-	-	-	-		153,680	34
San Diego county	-	-	-	-		3,186	14
Solano county	-	-	-	-		4,530	55
San Joaquin county	-	-	-	-		24,532	76
Santa Clara county	-	-	-	-		28,620	66
Santa Barbara county	-	-	-	-		357	47
Santa Cruz county	-	-	-	-		4,009	60
Sacramento county	-	-	-	-		53,718	24
San Bernardino county	-	-	-	-		1,104	27
Sutter county	-	-	-	-		359	76
Sonoma county	-	-	-	-		12,725	14
Siskiyou county	-	-	-	-		13,157	90
Stanislaus county	-	-	-	-		2,679	24
Sierra county	-	-	-	-		15,074	44
Shasta county	-	-	-	-		10,386	58
Tuolumne county	-	-	-	-		16,976	32
Trinity county	-	-	-	-		7,908	13
Tulare county	-	-	-	-		646	85
Yuba county	-	-	-	-		30,460	88
Yolo county	-	-	-	-		4,690	85
Commissioner of Emigrants	-	-	-	-		26,677	00
Secretary of State	-	-	-	-		852	00
United States	-	-	-	-		150,000	00
Board California Land Commissioners as per statement of State Treasurer	-	-	-	-		202,448	21
Total	-	-	-	-	\$	995,277	64

STATEMENT OF EXPENDITURES

From July 1st, 1854, to March 1st, 1855.

Salary of Governor	-	-	-	-	\$ 6,666 68
Controller	-	-	-	-	3,000 00
Treasurer	-	-	-	-	3,000 00
Secretary of State	-	-	-	-	2,625 00
Attorney General	-	-	-	-	1,333 34
Surveyor General	-	-	-	-	1,332 36
Quarter Master General	-	-	-	-	1,333 36
Superintendent Public Instruction	-	-	-	-	3,000 00
Clerks to Controller	-	-	-	-	6,210 00
Clerks to Treasurer	-	-	-	-	4,320 00
Secretary of State	-	-	-	-	3,992 56
Supreme Judges	-	-	-	-	18,000 04
District Judges	-	-	-	-	33,981 21
California Land Commissioners	-	-	-	-	11,083 36
Governor's Private Secretary	-	-	-	-	1,458 33
Contingent Fund of Governor	-	-	-	-	809 17
Special Contingent Fund of Governor	-	-	-	-	3,644 80
Contingent Fund of Controller	-	-	-	-	785 90
Contingent Fund of Treasurer	-	-	-	-	286 03
Contingent Fund of Secretary of State	-	-	-	-	1,072 87
Contingent Fund of Quarter Master General	-	-	-	-	607 35
Contingent Fund Superintendent Public Instruction	-	-	-	-	208 71
Contingent Fund Surveyor General	-	-	-	-	597 75
Contingent Fund Supreme Court	-	-	-	-	865 00
Contingent Fund Assembly	-	-	-	-	2,434 00
Contingent Fund Senate	-	-	-	-	1,534 50
Contingent Fund Legislature	-	-	-	-	125 00
Paper for Printing	-	-	-	-	2,918 50
Translating Laws	-	-	-	-	3,735 50
Office Rent California Land Commissioners	-	-	-	-	700 00
Transportation of Prisoners	-	-	-	-	13,993 00
Northern Boundary	-	-	-	-	2,024 32
State Printing*	-	-	-	-	80,285 34
Insane Asylum	-	-	-	-	25,939 39
Insane Asylum Additional Building	-	-	-	-	80,000 00
Support of Indigent Sick	-	-	-	-	33,327 20
State Marine Hospital	-	-	-	-	75,415 75
Extra Clerk Hire to Secretary of State	-	-	-	-	2,667 00
State Arms	-	-	-	-	207 50
Library Fund	-	-	-	-	348 75
Salaries of Physicians Insane Asylum	-	-	-	-	8,000 00
Senators per diem	-	-	-	-	23,488 00
Senators Mileage	-	-	-	-	3,407 20
Assemblymen per diem	-	-	-	-	55,984 00

* This sum includes work performed by George Kerr & Co. and B. B. Redding during the last fiscal year, and for which no appropriation was made until the present session of the Legislature.

Assemblymen Mileage	-	-	-	-	11,075	20
Senate Officers and Clerks (1854 and 1855)	-	-	-	-	23,213	00
Assembly Officers and Clerks (1854 and 1855)	-	-	-	-	28,310	00
Salaries of Physicians S. M. Hospital	-	-	-	-	18,000	00
Special Postage Act	-	-	-	-	671	01
A. J. F. Phelan for Statement of War Debt	-	-	-	-	3,000	00
S. R. Weed, for Services in Case of McCurdy <i>vs.</i>	-	-	-	-		
Galvin	-	-	-	-	50	00
State Agricultural Society	-	-	-	-	5,000	00
Total	-	-	-	-		
					\$616,067	98



Document No. 18.

IN ASSEMBLY.]

[SESSION 1855.

COMMUNICATION

FROM THE

STATE TREASURER

WITH REFERENCE TO THE

CONDITION OF THE TREASURY

FEBRUARY 1, 1855.

[B. B. REDDING. STATE PRINTER.

TABULAR STATEMENT OF RECEIPTS INTO THE STATE TREASURY,
DURING THE MONTH OF FEBRUARY, 1855.

FROM WHOM RECEIVED	DATES.	General Fund.	Interest Fund of 1851.	Interest Fund of 1852	State Prison Interest Fund.	Hospital Fund.	Insane Asylum Fund.	State Marine Hospital Fund.	School Fund.	Library Fund.	Sinking Fund of 1851	State Property Fund.	Estate Deceased Persons.	War Fund.	TOTALS.
	1855.														
Balance in Treasury	February 1	* [\$2 00	2,890 73	42,479 07	7,017 93	15,872 08	7 27	2,219 56	11,322 03	—	67,129 04	10 08	89 09	11 67	149,048 55
Treasurer Stanislaus Co.	" 3	1,602 33	299 28	598 57	99 93	—	14 55	—	134 58	—	—	—	—	—	2,879 24
Do. Plumas Co.	" 5	1,007 24	99 67	199 34	9 96	—	29 10	—	205 45	—	—	—	—	—	1,550 76
Do. Siskiyou Co.	" 9	4,059 23	497 84	995 67	49 78	401 33	7 27	401 34	583 89	—	—	—	—	—	8,996 35
Do. Tulare Co.	" 16	373 60	60 56	139 13	6 95	—	—	—	57 61	—	—	—	—	—	646 85
Commissioner of Emigrants	"	—	—	—	—	70 95	102 60	76 95	—	—	—	—	—	—	256 50
Totals	.. .. .	\$7,042 40	\$3,857 08	\$44,411 78	\$7,114 55	\$16,350 36	\$160 79	\$2,697 85	\$12,303 56	—	\$67,199 04	\$10 08	\$89 09	\$11 67	161,178 25

* Overdrawn.

Received for State Property, February 8, 1855, Warrants..... 3,284 00

Do. Do. Do. 13, Do..... 2,233 33

Do. Do. Do. 24, Do..... 2,150 00

\$168,851 58

COMMUNICATION.

STATE TREASURER'S OFFICE, }
Sacramento City, March 15, 1855. }

To the Hon. the Senate and Assembly of the State of California :

In conformity with a Concurrent Resolution of the Senate and Assembly, passed February 9th, 1855, *requiring* the Treasurer of State to report to the Senate and Assembly, at an early day, the financial operations and condition of the State Treasury, up to the first day of February, 1855, the accompanying exhibit is respectfully submitted.

I have the honor to be,
Very respectfully,
Your obedient servant,

S. A. McMEANS,
State Treasurer.

BALANCE.

with the State of California.

CR.

1855.		
	By amount Bonds of 1852, received for State Property	\$5,090 50
	By amount Treasurer's receipts.	529 00
	“ paid for Civil Bonds	161,471 24
	“ paid for interest on do	64,654 87
	“ Certificates of balances redeemed	17,691 95
	“ Warrants on School Fund do	33,042 68
	“ Do General Fund do	538,588 85
	“ Do Hospital Do. do	30,861 23
	“ Do Insane Asylum Do. do	23,060 48
	“ Do S. Mar'e Hospital Do. do	27,110 48
	“ Do State Property Do. do	12,586 60
	“ Do Library Fund Do. do	348 75
	“ Do Gov. Spe. Contgt. Do. do	6,194 71
	“ Do Governor's Contgt. Do. do	270 48
	“ Do Assembly Do. do	5,181 86
	“ Do Senate Do. do	3,580 52
	“ cash in Treasury	149,046 55
		<hr/>
		\$1,079,310 75

GENERAL

Dr.

In account with

1852.

To amt. paid for per diem and mileage of members of the Legislature, officers, attaches, witnesses, contestants, &c., &c.....	\$162,920 22
“ paid for salary of Governor.....	7,133 33
“ paid for salary of State Treasurer.....	3,375 00
“ paid for salary of Comptroller of State...	3,375 00
“ paid for salary of Secretary of State.....	2,041 67
“ paid for salary of Superintendent of Public Instruction.....	3,150 00
“ paid for salary of Surveyor General.....	1,433 33
“ paid for salary of Quartermaster General..	1,333 29
“ paid for salary of Attorney General.....	1,666 65
“ paid for salary of Clerks in State Treasurer's office.....	4,860 00
“ paid for salary of Clerks in Controller's office.....	8,100 00
“ paid for salary of Clerks in Secretary of State's office.....	4,580 56
“ paid for salary of Governor's Private Secretary.....	1,676 22
“ paid for salary of Chief Justice of Supreme Court.....	9,438 97
“ paid for salary of Associate Justices of do.	16,599 93
“ paid for salary of District Judges.....	33,143 05
“ paid for contingent expenses of Governor..	556 09
“ paid for do. of office of State Treasurer...	577 31
“ paid for do. of office of Controller.....	1,043 64
“ paid for do. of office of Secretary of State..	1,480 07
“ paid for do. of office of Superintendent of Public Instruction.....	1,159 75
“ paid for do. of office of Surveyor General..	518 04
“ paid for do. of office of Quartermaster Gen.	1,313 30
“ paid for do. of office of Attorney General..	1,425 75
“ paid for do. of office of Board of California Land Commissioners	5,856 75
“ paid for support and maintenance of State Marine Hospital	75,819 30
“ paid for support and maintenance of Insane Asylum	18,628 91
“ paid for conveying convicts to State Prison	19,728 15
paid for additional buildings to the Insane Asylum.....	61,309 76
“ paid for State Printing.....	40,152 00
“ paid for premiums for State Agricultural Fair	5,000 00
“ paid for completing Geological Survey...	5,000 00
Amt. carried forward.....	\$504,446 04

FUND.

S. A. McMeans.

CR.

1855.			
February 1	By amt. of receipts to date (see Tab. Stat.)	\$391,096	68
	“ of receipts for State property	146,440	17
	“ Certificates of Balances issued	4,379	43
	“ Bonds of 1851 issued	1,000	00
	“ Balance	2	00

Amt. carried forward,

\$542,918 28

GENERAL

Dr.

In account with

1855.	To amt. brought forward	\$504,446 04
	“ paid for capture of Joaquin	2,200 00
	“ paid for translating Laws	3,000 00
	“ paid for Northern Boundary Survey	2,778 73
	“ paid for contingents of Supreme Court . .	2,861 55
	“ paid H. Gomez Mauriz, special relief Act.	1,350 00
	“ paid for drawing plans for Insane Asylum.	737 50
	“ paid Physician Do.	1,500 00
	“ paid advertising for proposals to build In-	
	sane Asylum	77 87
	“ paid salaries of California Land Commis-	
	sioners	2,637 56
	“ paid balance printing Codified Laws	1,000 00
	“ paid for publishing Governor's Proclama-	
	tion	175 00
	“ paid for 300 vols. California Reports	4,800 00
	“ paid for indexing Laws and Journals	1,129 00
	“ paid for Paper for State Printing	2,825 25
	“ paid for Court Costs	231 50
	“ paid for publishing election proclamations.	80 00
	“ paid for advertising proposals to translate	
	Laws	308 50
	“ transporting Lunatics to Insane Asylum . .	417 75
	“ services of State Agents	3,364 00
	“ C. Valprey, special relief Act	160 00
	“ W. N. Walton, Do.	100 00
	“ J. Boling, Do.	1,180 50
	“ H. Wohlgamuth, Do. 1854	340 75
	“ Certificates of balances redeemed	5,216 78
		<hr/>
		\$542,918 28
	To amount of balance	<hr/>
		\$2 00

FUND—Continued.

S. A. McMeans.

CR.

1854.	By amount bro't forward	\$542,918 28
		<u>\$542,918 28</u>

INTEREST

Dr.

In account with S. A.

1854.			
July	6	To amount paid for coupons.....	\$210 00
Sept.	9	“ transferred to Sinking Fund.....	150,000 00
Nov.	3	“ paid for interest on Bonds.....	13,287 37
1855.			
January	2	“ do do do.....	52 50
	13	“ J. P. McFarland, for interest.....	35 00
	22	“ paid for interest due March 1, 1855..	1,300 00
	30	“ transferred to Sinking Fund.....	40,000 00
Feb.	1	“ balance in fund carried down.....	2,890 73
			<hr/>
			\$207,775 60
			<hr/>

INTEREST

Dr.

In account with S. A.

1854.			
Nov.	3	To amt. paid for interest due January 1, 1855...	\$48,632 50
1855.			
January	2	“ paid for coupons.....	70 00
	2	“ transferred to School Fund	32,465 44
Feb.	1	“ balance in fund carried down.....	42,479 07
			<hr/>
			\$123,647 01
			<hr/>

STATE PRISON

Dr.

In account with Selden A.

1854.			
July	6	To amt. paid for 61 coupons @ \$17 50.....	\$1 067 50
		“ balance carried down.....	7,017 93
			<hr/>
			\$3,085 43
			<hr/>

SINKING

Dr.

In account with Selden A.

1854.			
August	1	To amt. paid W. C. Parker & Co., for bonds....	\$9,686 39
Sept.	16	“ C. W. Rand, for do.....	27,462 40
October	12	“ Tallant & Wilde, for do.....	1,528 86
Nov.	6	“ R. Camden, for do.....	1,025 47
1855.			
Jan.	22	To amt. forwarded to meet principal of bonds, due March 1, 1855....	109,000 00
	27	“ paid J. P. McFarland, for bond.	502 62
	30	“ paid John Perry, Jr., for bonds....	12,565 50
Feb.	1	“ balance in fund.....	67,129 04
			<hr/>
			\$228,900 28
			<hr/>

INTEREST FUND,

McMeans, State Treasurer.

CR.

1855.			
Feb.	1	By amt. of receipts to date, (see Tab. Statement)	\$8,085 43
			<hr/>
			\$8,085 43
Feb.	1	By amt. balance brought down.....	\$7,017 93
			<hr/>

FUND OF 1851,

McMeans, State Treasurer.

CR.

1854.			
August	1	By amt. of W. C. Parker & Co's bid.....	\$10,018 89
Sept.	9	" transferred from Interest Fund (Custom House Block).....	150,000 00
	16	" of C. W. Rand's bid.....	28,442 40
1855.			
Jan.	30	" transferred from Interest Fund.....	40,000 00
Feb.	1	" receipts to date, (see Tab. Statement)...	438 99
			<hr/>
			\$228,900 28
Feb.	1	By amt. of balance in fund brought down.....	\$67,129 04
			<hr/>

HOSPITAL

Dr.

In account with Selden A.

1854.				
July	15	To amt. paid	San Francisco Co.....	\$1,560 10
	19	"	San Joaquin Co.....	217 00
August	1	"	Sacramento Co. (Price & Williams).	421 00
	24	"	Tuolumne Co.....	1,550 59
October	14	"	Sacramento Co. (Price & Williams).	536 98
	19	"	Santa Clara Co.....	869 49
	20	"	Yuba Co.....	1,675 10
	24	"	Yolo Co.....	170 55
	25	"	Butte Co.....	1,118 44
	25	"	El Dorado Co.....	4,622 40
	28	"	San Joaquin Co.....	214 53
Nov.	2	"	San Francisco Co.....	1,541 87
	3	"	C. A. Tweed, (Nevada Co).....	2,787 59
Dec.	11	"	Placer Co.....	1,407 04
	19	"	Monterey Co.....	355 94
	27	"	San Diego Co.....	251 63
1855.				
January	3	"	Tuolumne Co.....	1,400 07
	6	"	Sierra Co.....	369 46
	6	"	Colusi Co.....	80 90
	6	"	Los Angeles Co.....	1,021 75
	9	"	Sonoma Co.....	359 20
	11	"	Yuba Co.....	8 6 13
	11	"	Solano Co.....	369 89
	13	"	San Francisco Co.....	1,323 41
	13	"	Sacramento Co (Price & Williams).	461 18
	18	"	Sierra Co (McCann).....	477 87
	18	"	Calaveras Co.....	2,634 54
	19	"	Nevada Co.....	782 67
	19	"	Mariposa Co.....	1,498 82
	23	"	Napa Co. (Edwd. McGarry).....	276 09
February	1	To amt. balance in fund brought down.....		15,872 08
				<hr/>
				\$46,734 31
				<hr/>

FUND,

McMeans, State Treasurer.

CR.

1855. February 1	By amt. of receipts to date, (see Tab. Statement).	\$46,734 31
		<hr/>
		\$46,734 31
		<hr/>
February 1	By amt. of balance brought down	\$15,872 08
		<hr/>

INSANE

Dr. *In account with Selden A.*

1854.				
July	18	To amt. paid John Perry, Jr.		\$1,509 30
August	24	" Do.....		2,774 81
Sept.	22	" Do.....		2,124 80
October	20	" Do.....		800 20
Nov.	1	" Do.....		883 88
	16	" Do.....		1,119 29
1855.				
January	13	" John E. Lockwood.....		750 00
	23	" J. C. Palmer.....		1,037 97
February	1	To amount of balance in fund carried down.....		7 27
				<hr/>
				\$11,007 52
				<hr/>

STATE MARINE

Dr, *In account with Selden A.*

1854.				
July	20	To amt. paid Ed. McGowan, Treasurer.		\$4,449 42
August	26	" Do. Do.....		5,747 83
October	13	" Do. Do.....		1,912 83
	25	" Do. Do.....		3,000 00
November	1	" Do. Do.....		788 40
	3	" Do. Do.....		2,211 60
	16	" Do. Do.....		1,500 00
Dec.	28	" Do. Do.....		2,000 00
1855.				
January	17	" Edward Jones.....		5,500 00
February	1	To amount of balance in Treasury carried down..		2,219 56
				<hr/>
				\$29,329 64
				<hr/>

LIBRARY

Dr.

In account with Selden A.

1854.			
July	5	To amt. paid W. H. R. Wood.....	\$348 75
Nov.	20	" transferred to Governor's Sp'l Ctgt. Fund.	1,323 00
			<hr/>
			\$1,671 75
			<hr/>

SCHOOL

Dr.

In account with Selden A.

1854.			
July	14	To amt. paid Santa Cruz Co.....	\$1,354 64
	17	" Klamath Co.....	172 71
1855.			
January	3	" Contra Costa Co.....	980 43
	4	" Sacramento Co.....	3,809 89
	5	" San Francisco Co.....	6,483 24
	5	" Santa Clara Co.....	3,302 82
	5	" Napa Co.....	712 85
	6	" Sierra Co.....	181 79
	9	" Amador Co.....	882 38
	9	" Alameda Co.....	1,072 35
	10	" Sonoma Co.....	2,085 44
	11	" Yuba Co.....	743 50
	11	" Solano Co.....	1,172 43
	13	" Los Angeles Co.....	2,432 70
	13	" Yolo Co.....	576 00
	17	" El Dorado Co.....	2,440 86
	17	" Colusa Co.....	694 47
	18	" Nevada Co.....	1,004 94
	19	" Mariposa Co.....	247 14
	22	" San Joaquin Co.....	2,028 47
	18	" Calaveras Co.....	653 83
February	1	By amt. balance in fund.....	11,322 03
			<hr/>
			\$44,364 71
			<hr/>

FUND,

McMeans, State Treasurer.

CR.

1854. Sept.	4	By amt. from Gen'l Fund, (per diem of Members)	\$570 00
1855. February	1	" of receipts to date, (see Tab. Statement) ..	1,101 75
			<hr/> \$1,671 75 <hr/>

FUND,

McMeans, State Treasurer.

CR.

1855. January	2	By amt. transferred from Interest Fund of 1852 ..	\$32,465 44
February	1	" of receipts to date (see Tab. Statement) ..	11,899 27
			<hr/>
			\$44,364 71
February	1	By amount brought down	<hr/> \$11,322 03 <hr/>

ESTATES OF

In account with Selden A.

DR.

1855.		
February 1	To amount in fund carried down.....	\$89 09

WAR

DR.

In account with S. A. McMeans,

1855.		
February 1	To amount in fund carried down.....	\$11 67

DECEASED PERSONS,

McMeans, State Treasurer.

CR.

1855.		
February	1 By amt. receipts to date (see Tab. Statement)...	\$89 09
	By amount brought down.....	\$89 09

FUND,

State Treasurer.

CR.

1855.		
February	1 By amt. receipts to date (see Tab. Statement)...	\$11 67
	By amount brought down	\$11 67

STATE PROPERTY

Dr.

In account with S. A.

1854.					
July	1	To balance (see Treasurer's last annual Report).		\$238	66
August	26	To amt. paid Warrants sundry parties (R.R. 211)		1,041	97
	28	Do. Do. Do.		874	98
	30	Palmer, Cook & Co.		378	25
	31	Do.		250	00
Sept.	2	Do.		500	00
	7	George O'Doherty.		265	38
1855.					
January	25	J. M. Gallagher.		291	68
Feb.	1	balance in fund carried down.		10	08
				\$3,851 00	

GOVERNOR'S SPECIAL

Dr.

In account with Selden A.

1854.					
Nov.	20	To amt. paid John Bigler.		\$344	05
	20	“ J. E. Lockwood.		713	00
Dec.	11	“ E. E. Griggs & Co.		22	50
1855.					
January	13	“ J. E. Lockwood.		243	45
				\$1,323 00	

FUND,

McMeans, State Treasurer.

Cr.

1854.				
August	22	By amt. from S. C Harding.....	\$77 50	
	23	“ sales August 17 and 18.....	3,465 69	
	28	“ Do Do.....	46 30	
	31	“ Do Do.....	24 25	
Sept.	16	“ Selover & Sinton.....	119 61	
October	14	“ Do.....	20 95	
	17	“ Do.....	1 67	
Nov.	6	“ Do.....	87 29	
1855.				
January	17	“ Do.....	7 74	
			<hr/>	
			\$3,851 00	
			<hr/>	
February	1	By amt. balance in fund brought down.....	\$10 08	
			<hr/>	

CONTINGENT FUND,

McMeans, State Treasurer.

Cr.

1854.			
Nov.	20	By amt. from Library Fund, per Controller's order.	\$1,323 00
			<hr/>
			\$1,323 00
			<hr/>

Dr.

TRIAL BALANCE.

Cr.

To amt. of balance cash (C. B. fol. 48).....	\$149,034 88	By amt. bal. in Interest Fund of 1851.....	\$2,890 73
“ General Fund (overdrawn).....	2 00	Do, 1852.....	42,479 07
“ War Fund (kept separate from cash)...	11 67	State Prison Interest Fund.....	7,017 93
		Sinking Fund of 1851.....	67,129 04
		Hospital Fund.....	15,872 08
		State Marine Hospital Fund....	2,219 56
		School Fund.....	11,322 03
		State Property Fund.....	10 08
		War Fund.....	11 67
		Insane Asylum Fund.....	7 27
		Estates of Deceased Persons.....	89 09
	<u>\$149,048 55</u>		<u>\$149,048 55</u>

(C.)

STATEMENT OF BALANCES IN VARIOUS BANKS.

In Bank of Palmer, Cook & Co.

1854, January 7	-	-	-	-	-	\$180,000 00
" April 8	-	-	-	-	-	75,777 11
" May 19	-	-	-	-	-	76,405 07
" July 29	-	-	-	-	-	46,939 31
" Aug. 29	-	-	-	-	-	48,621 66
" Sept. 27	-	-	-	-	-	124,302 33
" Oct. 25	-	-	-	-	-	116,539 44
" Dec. 11	-	-	-	-	-	64,265 80
1855, Jan. 11	-	-	-	-	-	109,105 53
" Feb. 6	-	-	-	-	-	94,870 30
" March	-	-	-	-	-	100,000 00

In Bank of Read & Co

1854, June 8	-	-	-	-	-	10,000 00
" June 28	-	-	-	-	-	28,924 57
" July 30	-	-	-	-	-	26,330 90
" Sept. 25	-	-	-	-	-	16,591 00
" Oct. 27	-	-	-	-	-	47,358 48
" Dec. 29	-	-	-	-	-	6,493 74

Now, nothing.

The balances at D. O. Mills & Co's. amount to an average of from \$5,000 to \$8,000; at present, *nothing*.

Know all men by these presents: That we, Jos. C. Palmer, Chas. W. Cook, Geo. W. Wright and Edward Jones, as principals, and John C. Hays and David C. Broderick, as sureties, are held and firmly bound to Hon. S. A. McMeans, Treasurer of the State of California, in the penal sum of two hundred thousand dollars lawful money of the United States of America, for which payment well and truly to be made, we bind ourselves, our heirs, executors, assigns and administrators, firmly by these presents, signed by us, and sealed with our seals, this 2d day of January, A. D. 1854.

The condition of this obligation is such, if the said Jos. C. Palmer, Chas. W.

Cook, G. W. Wright and Edward Jones, (composing the firm of Palmer, Cook & Co.) shall well and truly account for and pay over upon demand any moneys which may be at this time, or at any future time be deposited with them as bankers, to the credit of said State Treasurer, then this obligation to be wholly void, otherwise to remain in full force and effect, according to law.

JOS. C. PALMER, [Seal.]
 CHAS. W. COOK, [Seal.]
 G. W. WRIGHT, [Seal.]
 EDWARD JONES, [Seal.]
 D. C. BRODERICK, [Seal.]
 JOHN C. HAYS, [Seal.]

Signed and sealed in presence of H. B. JONES.

Know all men by these presents: That I, D. O. Mills, comprising the firm of D. O. Mills & Co., bankers in the city of Sacramento, California, as principals, and David Meeker and Henry Miller, of said place, as sureties, are jointly and severally held and firmly bound unto Selden A. McMeans, Treasurer of the State of California, in the penal sum of fifty thousand dollars, (\$50,000) in the good and lawful currency of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and assigns, jointly and severally, by these presents, forever. Sealed with our seals, and signed.

SACRAMENTO, December 30th, 1854.

The condition of this obligation is such that, if D. O. Mills & Co. shall well and truly account for and pay over upon demand any moneys which at any future time may be deposited with them, as bankers, to the credit of said S. A. McMeans, State Treasurer, then this obligation to be void, otherwise to remain in full force and effect, according to law.

D. O. MILLS,
 DAVID MEEKER,
 HENRY MILLER.

In presence of C. H. CUMMINGS.

Know all men by these presents: That we, Jno. A. Read and Thos. Y. Read, composing the firm known as the Banking House of Read & Co., of the city of Sacramento, as principals, and James B. Haggan, Samuel Norris and Danl. J. Lisle, as sureties, are held and firmly bound unto Selden A. McMeans, Treasurer of the State of California, in the sum of fifty thousand dollars, for the payment of which we hereby bind ourselves by these presents.

The condition of the above bond is such, that, whereas the above named Treasurer of State has this day agreed to deposit with the said Read & Co. a portion of the moneys belonging to the State of California, as the same may be paid into the Treasury, now, therefore, the said Read & Co., bind themselves to receive and keep on general or special deposit, as the said Treasurer

may designate, all such moneys as aforesaid, and to pay out the same according to the orders or directions of the said Treasurer, at all times as may be required, for all such moneys so deposited, and to make no charges whatever for so doing, the deposits of money being deemed full compensation therefor. Now if these conditions are fully and firmly complied with by the said Read & Co., the above obligation to become null and void, otherwise to remain in full force and virtue in law, as witness our hands and seals this 1st day of June, A. D., 1854.

JOHN A. READ,
THOS Y. READ,
J. B. HAGGAN,
SAML. NORRIS,
D. J. LISLE.

(D.)

TESTIMONY OF JOHN A. READ.

I have had public moneys deposited with me—all left on general deposit, (except one package, which was left on special deposit.) General deposits are to be used by the banker, if he thinks proper; no violation of honor, or breach of trust; if bank suspends, shares the fate of other deposits; would have felt authorized to purchase gold dust to the full amount of the money thus deposited; no more restrictions upon the use of the money, than are specified in the bond; no verbal arrangement—no particular restraint enforced by Dr. McMeans, other than mentioned in the bond—money to be ready to pay all checks.

McMeans paid interest on individual loans, while the State had large amounts to her credit in my hands; think Dr. McMeans was very scrupulous in his management of the public funds; no public depositor more particular, in his care of the public money, as far as my observation extended.

JOHN A. READ.

Sworn to and subscribed March 22d, A. D. 1855.

TESTIMONY OF GEORGE W. WRIGHT.

I know Dr. McMeans has deposited public moneys with Palmer, Cook & Co.; I am a member of that firm; no idea of the amount of such deposits; don't know what amount is deposited with P. C. & Co now; don't know what amount of public moneys has been on hand, at any one time; don't know anything of the books of that firm; believe that the bulk of the public moneys has been deposited with P., C. & Co; signed bond, dated January 2d, 1854; can't tell whether signed any other bond or not; the statement made by Mr. Read is correct, on the subject of *general* and *special* deposits, (as far as I know) in the conduct of the business of P., C. & Co.; I think the moneys were on *special* and *general* deposit at different times. P., C. & Co. are in the habit of purchasing State warrants; purchased as any other bonds or warrants; no connexion between McMeans' account and such bonds and warrants; never have known Dr McMeans to use any of the public moneys for his own private use; my information on all these points is based on general report.

G. W. WRIGHT.

Sworn to and subscribed March 22d, A. D. 1855.

TESTIMONY OF ELAM COVINGTON.

I am a clerk in the Controller's office ; about \$30,000 of Controller's certificates issued to State Printer, prior to January 1st, 1855 ; Mr. Bell, in some instances, endorsed an account as correct, in the cases of B. B. Redding, George Kerr & Co., and of the California Land Commissioners, for printing or advertising ; his usual course in these cases, was to certify on a piece of paper separate from the account, that such account or accounts had been examined by him, (Mr. B.) and that it or they were just claims against the State ; this is what is meant by Controller's certificates ; about \$40,000 of such accounts, in all cases, were so certified ; the greater portion of these accounts were afterwards presented for the issuance of Controller's warrants by the parties to whom they were issued ; I don't know that Dr. McMeans ever speculated in State securities ; I have seen warrants paid at the Treasurer's office ; money was paid upon the warrants *pro rata*

ELAM COVINGTON.

Sworn to and subscribed March 22d, A. D. 1855.

TESTIMONY OF GEORGE W. GIFT.

I am employed as clerk in the Treasurer's office ; I have been a clerk in that office since January 2d, 1854 ; I keep the books of that office ; I know the contents of Dr. McMeans' correspondence with this Select Committee ; the statement made relative to the disposition of the one hundred and fifty thousand dollars received for the Custom House Block, is correct ; about \$180,000 is the greatest amount of money ever deposited with Palmer, Cook & Co. ; never have known any preference shown to any banker with whom public moneys have been deposited—in the redemption of warrants ; the course pursued in the Treasurer's office, is to pay money on warrants *pro rata* upon the amount presented ; the date of the warrant has nothing to do with the payment upon it—all paid *pro rata* ; no certificate ever received as warrants, or *pro rata* paid on them ; about twenty thousand dollars of the Controller's certificates were received by the Treasurer ; Mr. Lloyd Tevis held the greater portion of these certificates, and he arranged with the purchasers of the water lot property sold by the California Land Commissioners to pay them to the Treasurer, as the purchase money ; about nineteen thousand dollars of the accounts of the Board of California Land Commissioners were also received in the same way, as purchase money for water lot property ; for the last three or four months, deposits made in any of the banks have been special ; the statement made in Dr. McMeans' correspondence with Committee, about the banks in which deposits have been made, is correct ; never have known any scrip paid in preference to any other ; all on the *pro rata* principle ; if there is an amount of cash in the Treasury sufficient to pay any amount of warrants presented, the full amount of the warrants so presented, is paid ; no warrants can be or have been left on deposit with the Treasurer, to be paid out of the *first* moneys paid into the Treasury ; I have never known Dr. McMeans to speculate in public securities, or to use the public moneys for his private use ; there is now about one hundred thousand dollars of public money on *special* deposit at Palmer, Cook & Co's.

G. W. GIFT.

Sworn to and subscribed, March, A. D., 1855.

Document No. 19.

IN ASSEMBLY.]

[SESSION 1855.

R E P O R T S

OF THE

S E L E C T C O M M I T T E E

TO WHOM WAS REFERRED

ASSEMBLY BILLS NO. 206, 207 & 208,

WITH REFERENCE TO

F O R E I G N M I N E R S .

[B. B. REDDING, STATE PRINTER

R E P O R T

OF THE

MAJORITY OF SELECT COMMITTEE.

REPORT.

The Select Committee to whom was referred Assembly Bills Nos. 206, 207 and 208, have had the same under consideration, and a majority of your Committee have agreed upon a substitute for said bill, and beg leave to report the same back to the House, together with their reasons for recommending its passage.

The question under consideration is one of vast importance to our young State, and worthy the careful investigation of our wisest statesmen ; we, therefore, approach the subject with much diffidence, being well aware that we are unable to do the subject the justice that its great importance demands.

The bill proposes to exclude all persons of foreign birth, who are not eligible to citizenship, from the *privilege* of working the mines of this State ; that we have the constitutional and legal right to pass and enforce such a law, is clearly sustained by the Decisions of the Supreme Court of the State, and by the Supreme Court of the United States.

The General Government has acquired the territory of California at an immense cost of common blood and treasure of the citizens of the United States ; large numbers of her hardy sons have come and settled within its limits, and have formed themselves into a sovereign State ; have been admitted into the Union upon an equal footing with the original States ; her sovereignty as a State is as full and complete as any of the original thirteen States ; she has *full, complete* and *exclusive control* of all *police* regulations within her limits ; she has the right to determine who shall be admitted as citizens, and who shall be excluded.

In pursuance of this power, she has declared in her Constitution, that none but free white persons shall be entitled to the rights and privileges of citizenship. - The Supreme Court of this State has decided that the Mongolian and Asiatic races are not *white*, in the constitutional sense of the term, and therefore cannot become citizens of this State. Large numbers of this class of foreigners have come to our State, not in pursuance of the privileges granted for the purpose of commerce, but for the *sole* purpose of working our gold mines. The General Government has spared no pains to extend our commerce to all nations, upon liberal and enlightened principles, and has always granted to other nations the same privileges that we have asked of them ; but those privileges have invariably been of a commercial character, and have had nothing to do with the internal, municipal or police regulations of any other nation.

Our Government has always welcomed to our shores the oppressed of every nation who could be admitted on terms of political and local equality ; but to extend

the same privileges to those nations that are so different, in language, customs, laws and physical organization from our own people, would be doing an injury to ourselves, without benefitting them. It must be conceded by all, that persons of foreign birth, especially those who are not eligible to citizenship, have no absolute *rights* on our *soil*, or in our mines. We have granted to them privileges upon certain conditions. Our State has made it a condition of money. She has given them the privilege of working the mines, by paying a tax of four dollars per month. The whole question, then, is one of *privilege*, and not one of absolute *rights*, and must come entirely within the police regulations of the State Government. A majority of your committee hold, that the State has a constitutional right not only to exclude any class of foreigners she may deem obnoxious to her interests, either socially or politically, but that she has the right to expel them entirely from her borders. We hold that the State not only has the right to *tax* a *nuisance*, but to *abate* it *altogether*. If any class of our *own* people engage in any business or profession that is calculated to work an injury to the rights of others or to the public, so as to bring about a social or political evil, the State has the right to interpose her power to prevent and remove the cause thereof. It must, therefore, be clearly within her power to prevent a foreign population from fastening evils of a like nature upon us. The police power extends over *all* subjects within the territorial limits of the States, and has never been conceded to the United States. Upon this question the Supreme Court of the United States is clear and explicit. In the case of the city of New York *vs.* Miln, (11 Peters, 103,) the court holds the following language:

"The State has the same undeniable right and unlimited jurisdiction over all persons and things within its territorial limits as any foreign nation, when that jurisdiction is not *surrendered* or *restrained* by the Constitution of the United States."

"All those powers which relate to merely municipal legislation, or which may more properly be called *internal police*, are not *surrendered* or *restrained*; and consequently, in relation to these the authority of a State is *complete, unqualified* and *exclusive*."

The same authority goes farther and says that "It is not only right, but the bounden and solemn duty of a State, to advance the safety, happiness and prosperity of its people, and to provide for its general welfare by any and every act of legislation which it may deem to be conducive to these ends."

This doctrine was fully recognized by Congress by the admission of several of the western States, with provisions in their constitutions prohibiting all persons of a certain class from residing within their limits.

In the Constitution of the State of Indiana, Sec. 1st of Art. 13, provides that "No negro or mulatto shall come into or settle in the State," and Sec. 2 of the same article, makes all contracts with such persons null and void, and imposes a fine upon any citizen that shall employ them.

From the language of the Supreme Court of the United States, in the cases above cited, and from the action of Congress, it appears that while a State is acting within the scope of its legislative power as to the *end* to be attained, it may use whatever *means*, being appropriate to the *end*, it may think fit. We have not been able to find any thing in the Constitution of the State, or of the United States, or in the statutes at large, that does by any fair construction *restrain* the legislature from passing such a law as the bill contemplates.

Much has been said and written about the importance of the commerce of India and Asia. The trade of the East has always been eagerly sought after by every commercial nation of Europe. Venice once monopolized the *trade*, and became wealthy and powerful; in after years, the Portuguese and Dutch became rich by this eastern traffic. It finally passed principally into the hands of England, and she became the mistress of the Seas, and dictated laws to the commercial world. Since the foundation of our government, it has been a favorite scheme of our

Statesmen, to procure for us the monopoly of this immense trade of the East, to extend our commerce over every sea, and promulgate the doctrines of free government and free trade to every land. That our Statesmen are right in using all honorable means to advance our commercial interest, none will for a moment deny. That a free commercial intercourse, with all mankind, of whatever race or color, whether civilized or savage, is our true policy, is apparent to all. But an interchange of population is a very different thing. We want the Chinese *trade*, but we do not want her surplus *population*. They cannot assimilate to or appreciate our laws and customs, and we can never receive *them* on terms of *social* and *political* equality; we cannot give them our daughters in marriage, neither can we receive theirs. An amalgamation is impossible, and repugnant to every feeling of decency and propriety. We cannot, therefore, live together as members of the same family. We are differently constituted, and were never intended by the God of nature to become one people. Let the Chinese *inhabit China*, and let the Americans *possess America*. Let our commercial intercourse be liberal and just; we will then have accomplished all that we can ask, and all that they can reasonably expect. Our treaty obligations with China are purely of a commercial character, and never contemplated an interchange of *population*. The price of labor is always regulated by the supply and demand. Our American labor here is more valuable than in any other part of the world. Our population though rapidly increasing, is comparatively small. If we, therefore, throw wide our doors for the influx of the millions of China, we destroy the great laboring classes of our own people, and the only persons benefited will be capitalists and the Chinese; the only ones injured would be the American laborer, by supplying the market for labor with a depreciated article that is literally inexhaustible. Then let us close our doors against the immigration of those who cannot be received by us on terms of equality, and require those that are here to return as soon as possible to their own country; and then let us direct our energies to the breaking down of the barriers that lie between us and our sister States, and our valleys and hills will soon be peopled with our own hardy race, with whom we can live in peace and harmony.

Some urge as a reason for allowing the Chinese to remain among us, that they will learn our religion and laws, and effect much for the regeneration and enlightenment of their race. From the same source we are told that we cannot spare the Chinese, that they contribute largely toward the support of our County and State governments, that they are the only people in the mining districts that pay a tax, and therefore we cannot spare them. But we are not of those who would make of our *philanthropy* a profitable investment. When *American* citizens become unable and incapable of supporting and upholding the government and laws of their own making, then it will be time for us, and not till then, to import Chinese, Malays and Negroes, to do that for us which we have not the virtue and patriotism to do for ourselves.

Your Committee believe that the only place in our State where the Chinese could be of any permanent advantage to the country, would be in the reclamation and cultivation of the Tule lands, but does any one for a moment suppose that they will ever settle in the Tules and work in the mud among the mosquitoes and frogs, so long as they are allowed the privilege of working our mines and breathing our pure mountain air? Most assuredly not. If they are permitted to remain amongst us in their present unprotected condition before our courts, they will be compelled to seek the individual protection of our citizens, and will in a few years become virtually our slaves.

The direct question at issue, is between the American laborer on one side, and the Chinese laborer and capitalist on the other. The American laborer claims the *exclusive privilege* and *right* of occupying and working the immense placers of our State. They look upon the mines as being the just inheritance of

the *laboring poor of America*, and the only class of laborers that they are willing to admit to any participation of this rich inheritance with them, are those of kindred lands, whom they can receive as brothers.

They ask us to protect them from the immense hordes of Asia, who like the locust of Egypt, leave nought but desolation in their path.

If this class of foreigners are excluded from the mines, our own laboring classes will for a long series of years have the advantage of capitalists.

Our laborers wish to keep up the value of their toil to a fair standard of competition *among themselves*, but you allow capitalists to import Chinese labor upon them, and the equilibrium is destroyed, capital is triumphant, and the laboring poor of America must submit to the unholy sacrifice.

The majority of your Committee believing that the interests of our people, the good of society, and sound policy, all demand *prompt* and *decisive* action on the part of the Legislature, to arrest the further progress of the great social and political evils resulting from the admission of the Asiatic races into our mines,

We therefore beg leave to present a substitute, embracing the main features of the three bills referred to us, and respectfully urge its passage.

J. E. CLAYTON, Chairman.

D. O. ADKISON,
SAMUEL McCURDY,
T. J. KEYS,
E. BOGARDUS,
M. ANDREWS.

Committee.

Document No. 21.

IN ASSEMBLY.]

[SESSION 1855.]

REPORT

OF THE

COMMITTEE ON CLAIMS,

WITH REFERENCE TO THE

PETITION OF THE CITY OF SAN JOSE

FOR RELIEF.

[B. B. REDDING, STATE PRINTER.]

REPORT.

MR. SPEAKER :

The Committee on Claims, having given due consideration to the petition of the city of San José for relief, have, in accordance with the expressed desire of the delegate from that city instructed me to recommend that this claim take the track of its "illustrious predecessor," provided the said delegate gives his solemn assurance that the committee shall be secure from the terrors of a San José mandamus.

The committee have also examined the claim of Wm. McNees, and submit the following facts in relation thereto : The petitioner left Sacramento in July, 1850, with forty-six pack animals loaded with various kinds of provisions, to meet the emigration on the other side of the Sierra Nevada. While in Carson Valley, he met with so much destitution and suffering that he resolved to turn his adventure from one of profit to one of philanthropy, and accordingly dispensed nearly all his provisions in charity, selling enough however to cover first cost and something more. Had he remained in Sacramento, such was the destitution in that city, he might have had a fair chance of not even saving first cost. This expedition was designed for gain, to realize large profits, but circumstances thwarted him in the realization of his hopes, as has been the case with many other adventurers in California. As it was, it appears to the committee that the petitioner lost nothing, but his time for two or three months, which hundreds have done in less laudable employments, and the loss of a little mule flesh. The claim seems to be laid for the imaginary sum he might have made had he remained at home.

To allow this claim on such grounds, would produce a glow of hope in the breasts of the Gold Lake and Gold Bluff expeditionists, as well as the recent stragglers from Kern River.

This claim against the State, was had under consideration by the Senate committee on claims of last session, and its rejection recommended. We see no reasons for dissenting from that recommendation.

The petition of Dr. Ormsby, for remuneration for similar expenditures on the other side of the mountains, for similar purposes, is recommended to follow its comrades and share the same fate.

The committee have also considered Senate bill No. 116, entitled an Act for the relief of B. Wing and W. H. Williamson, who served as Sergeant at Arms for the recent State Prison and Hospital committees. The committee are of the opinion that to save the passage of too many bills it would be good policy to wait until the accounts of the clerks, pages and porters of those committees, are presented and embody the whole in one bill, but being desirous of clearing their docket, they recommend the bill to the tender mercies of the House.

By order,

WAITE,

Chairman.

Document No. 22.

IN ASSEMBLY.]

[SESSION 1855.

REPORT

OF THE

SPECIAL COMMITTEE

ON

STATE PRISON.

SUBMITTED MARCH 29, 1855.

[B. B. REDDING, STATE PRINTER

REPORT.

MR. SPEAKER :

The special Committee on State Prison, in obedience to the instructions of the Assembly requiring them, in conjunction with a special Committee appointed by the Senate, to visit the State Prison and examine into the condition and management of that institution, have performed that duty, and respectfully ask leave to make the following report :

In consequence of the various rumors which had obtained circulation in connection with the condition and management of the State Prison, your Committee deemed it their duty, after a personal inspection of the Prison and Prison grounds, to call before them witnesses and make a thorough investigation as to the correctness of these rumors, and also ascertain what was the cause of the numerous escapes of convicts from the Prison. We have also collected a great deal of testimony as to the profit or loss of the present lessee of the State Prison by the Prison labor, and as to the possibility of making that institution support itself or become a source of revenue to those who are entitled to the labor of the prisoners. From this mass of testimony, your Committee are forced to the conclusion that the system at present practiced by the lessee is seriously objectionable, and wholly fails to accomplish the great object which should be aimed at by the establishment of a State Prison, namely, the certainty of punishment, according to our criminal code, and the moral reformation of the convict.

In consequence of the peculiar management of the convicts, and the police regulations of the Prison, it was difficult to obtain perfectly satisfactory evidence of the number of convicts now confined in the State Prison. We place the number, however, at three hundred and thirteen. The Inspectors estimate the number, at the date of their report of January 30th, at two hundred and seventy-five, while the lessee, J. M. Estell, in his report to the Legislature, dated January 28, states the number as over three hundred. From this evidence, together with such information as we could gather at the Prison grounds, we set down the number as above stated. Since the visit of your Committee to

the Prison, we are informed that about fifty new convicts have been received, making the number, at this time, three hundred and sixty-three. Near one half of these prisoners are worked at Marin Island, in the Bay of San Pablo, about two and a half miles from the Prison. The others are engaged at the Prison, and in running vessels to San Francisco, transporting stone and brick, and in getting wood from the hills with which to burn brick kilns. The convicts are required to labor from sunrise until sunset, except the time necessarily engaged in eating their meals.

Although there was some complaint among the convicts as to the kind and quality of food and clothing, yet your Committee believe that they have no just ground for complaint in this particular. The health of the convicts seemed to be remarkably good. In accordance with the provisions of an Act passed May 15th, 1853, a Prison has been erected, with forty-eight cells on the second story, which, by the present arrangement of the lessee, of confining four prisoners in a cell, will safely confine one hundred and ninety-two. The lower story is divided into an office, guard room, and a long room in which prisoners are confined. The Prison is a very substantial building, and altogether safe for the confinement of prisoners at night. Those engaged at work on Marin Island are confined at night on board of an old brig, which is firmly secured to the shore. Although not as securely confined at night as those at the Prison, yet their insular position banishes the idea of escape from their minds, unless they can get outside aid to procure boats with which to leave the island. Although a partially successful revolt occurred in December last, by which twenty-two prisoners secured a boat and escaped, yet we believe that with ordinary care the convicts can be more safely confined on this island than at the State Prison.

It would be exceedingly dangerous to keep all the convicts at the State Prison at the present time. There is prison room for but little more than half of them, and it is feared that so large a body of convicts thrown together, without sufficient means of confinement, would be the signal for a revolt, which, unless the guards be greatly increased, would, in all probability, be successful.

The lessee has under his employ about thirty men, who act as officers and guard. This number is not, in the estimation of your Committee, sufficient to suppress a revolt with certainty, and this number, when divided between the Prison and the island, does not present that formidable appearance to the convict which would discourage them from any attempt at an outbreak. It is the custom of the lessee to send six, eight or ten prisoners to the woods, to procure wood, with but a single guard. Escapes frequently occur while out in these parties. Prisoners have been sent out from the Prison to work on a ranch with and without guard. But the most of the escapes are occasioned by the adoption of a system denominated the "trustie system." By this system, a prisoner, whose term of service is about expiring, or who has behaved well, or has been recommended to the lessee as a gentleman and a man of good standing and family, is permitted to do light work, to be kept separate from the mass of prisoners, to go on errands for miles in the country, on foot or on horseback, alone; to go to San Francisco; to sleep without the guard at the cook house, off the Prison grounds, and other liberalities, which are frequently taken advantage of to escape. It is believed that most who are now at large have escaped by this "trustie system." Although we are not prepared to entirely condemn the "trustie system," as such, yet it requires the exercise of the best judgment to know who to trust. It is sometimes advantageous to have some among the prisoners who will aid in giving information concerning rebellions and efforts at escapes, and to assist in suppressing revolts. The use of this system has been and may be serviceable, but it should be exercised with caution, and not to that extent that has been practised in our State Prison.

There are few men who have been sentenced to the State Prison—no matter for what offense, no matter what may have been their former character—who, when an opportunity is offered them to escape by stepping on board of a ship bound from our shores, would not take advantage of it, and thus regain their liberty. From the numerous escapes that have been effected under cover of this system in this State, we cannot but recommend that it be discontinued, as far as they are allowed to leave the Prison grounds, and that those selected within the Prison grounds should be selected with the greatest care.

The convicts at the Prison are engaged in making brick, on grounds adjoining the Prison grounds, which are well adapted for the purpose, and under the control of General Estell. Those at Marin Island are engaged at quarrying stone from an excellent quarry, which we understand is owned by General Estell.

The Committee having ascertained the present market value of brick and stone in the city of San Francisco, and the quality that can be furnished by convict labor, are well satisfied that, with ordinary energy and judgment, the institution can be made not only a self-supporting institution, but even profitable. Yet the Committee are assured by the lessee that he has lost, by keeping the State prisoners, under his present contract, \$127,000. These losses, he informs us, occurred in consequence of bad management in the Prison matters, and that only in the last six months has he been able to make any profit on the Prison labor. He has now favorable contracts for furnishing bricks and stone, in the city of San Francisco, and that he has realized \$45,000 profit in the last six months.

From evidence, your Committee believe that, with ordinary care, a profit of one dollar per day to the convict may be realized, over and above all necessary expenses, such as food, clothing, guards, and working tools. Estimating the number of working convicts at three hundred, we have, by this calculation, \$1,800 per week, or \$97,200 clear profit per year. This calculation is made upon the supposition that favorable contracts can be made for the delivery of bricks and stone in the city of San Francisco, or at a place no further from the Prison.

The general management of the Prison, in the opinion of your Committee, is not such as it should be in order to secure the safety of the convicts. Many regulations might be made, even under the present contract, which, we think, would insure more certainly the security of the convicts. The rules and regulations of the guard are not sufficiently systematic, nor are they sufficiently stringent upon the guard and officers. Liquor has been used to excess among the guard and officers. Prisoners themselves have been allowed liquor by the guard, in some instances. The convicts are not required to dress in uniform, but to retain the clothes worn by them when brought to the Prison; so it is difficult to distinguish a convict from one of the guard. Their heads are not required to be shaved regularly, nor are they required to change their clothes as often as cleanliness would require. We believe that if a system of uniformity of dress (which, by its peculiarity, would attract attention,) would, if adopted, tend to prevent escapes; and if the heads were required to be shaved once a week, the escaped convicts would be recognized and their arrest would be facilitated. It is proper to remark, however, that, so far as these rules affect the police regulations of the Prison, their establishment was the duty of the Inspectors of the State Prison, and the lessee would have been compelled to comply with them. In consideration of these numerous defects in the government and discipline of the Prison, by which so many escapes were effected, and also in consequence of want of sufficient room at the Prison and Prison grounds, by which the convicts could be made secure, we made it a part of our duty to investigate the remedy the State might have to correct themselves, retaining the contract with General Estell, the present lessee, or by dissolving the present connection between the lessee and the State and making such radical im-

provements, both in discipline and buildings, as will protect our citizens and insure the security of the convicts.

The law of 1851 made General J. M. Estell and M. G. Vallejo the lessees of the State Prison for ten years. In 1852, the Legislature, by a special act, released M. G. Vallejo and made J. M. Estell the sole lessee under the act of 1851, upon his filing his bond in the office of the Secretary of State, to be approved by the Governor, in the sum of \$100,000; which conditions the said Estell has complied with. A copy of said bond is herewith reported, marked "Exhibit A." The said law of 1851 is a contract entered into between the State and the lessee, and the law regulating the construction of contracts generally must apply to this. By this law the lessee has, for ten years, the sole charge of the convicts sentenced to the State Prison. He is required to "feed and *clothe* the prisoners and pay all other necessary expenses, as that for guards and tools to work with; to prepare suitable temporary buildings upon the grounds herewith leased, or shall have suitable and secure Prison ships or vessels, properly arranged for the health and security of the convicts, until the State *shall build the State Prison.*" It then, in a provision to the seventh section, states that "this Act shall not be so construed as to confine the labor of the prisoners within the walls of said Prison, *or to any particular place or labor.*"

We believe that the Legislature is bound to the contract as it is made; that the Legislature has no right to alter or change that contract in any material point, so as to require any additional expense in keeping prisoners, or by which their labor would be made more unprofitable to the Lessee without the consent of said Lessee. That if the Lessee had violated the contract so as to work a forfeiture of the contract, that we could not by a Legislative Act annul said contract; but that our remedy would be entirely judicial. In order to satisfy ourselves more perfectly as to the correctness of these positions, we addressed a series of interrogatories to the Attorney General, and received an answer from him in which he sustains the position above laid down. The communication of the Attorney General is reported as exhibit "B," and made a part of this report.

From the construction placed upon the statutes of 1851, your Committee are not satisfied from the evidence, that the Lessee has violated his contract in so material a point as to work a forfeiture before any court of justice, but from the peculiar wording of the statute it seemed to be the object of the Legislature to give every advantage to the Lessee, in order to enable him to keep the prisoners safely, and at the same time make it a source of profit to himself. We are of the opinion, therefore, that the Legislature could not compel the Lessee to clothe the convicts in uniform, or shave their heads, or increase or in any way regulate the guards, or require any additional temporary buildings, or forbid the "Trustie system," or require him to work the prisoners within the prison walls or on the prison grounds.

In view of all these positions, and the great necessity that exists for additional buildings on the State Prison grounds, for the safety and security of the convicts, your committee have concluded to recommend to the Legislature to buy the said lease from the said James M. Estell. In answer to a resolution adopted by the committee, the said lessee agrees to sell his said lease to the State for the sum of \$100,000, which proposition we submit to the Legislature and recommend that it be accepted, and that a bill prepared by the committee and herewith reported for that purpose, be passed.

We are induced to make this recommendation for the following reasons: The urgent necessity for additional prison room is not only apparent to your committee, but to the whole community; it is required by every consideration of reason and justice. As the convicts now are, they may at any time by a successful revolt, be

cast loose upon society, and the probability of their escape is so apparent to the citizens of the country adjoining the prison, that they live in constant fear, and as testimony shows, the price of real estate in the surrounding country has been materially reduced in consequence thereof.

The lessee cannot in our opinion, be compelled to build additional buildings on the prison grounds; it remains therefore, the duty of the State to build this additional prison room. To make an appropriation and let out the building of said prison by contract, would, in the estimation of your committee, require the sum of at least, three hundred and fifty thousand dollars.

While we recognize the necessity of these improvements, we are not prepared in the present exhausted state of our Treasury, to recommend so large an outlay of money, but by the purchase proposed, the State becomes again the sole owner of the prison labor, which under proper management can, and should be required to do this work, thereby saving to the State a very great outlay of treasure. From the report of the Inspectors, we are informed, that there is every kind of mechanics among the convicts, and some as well skilled in mechanism as can be found outside of the prison walls. Under a system which your committee is now prepared to recommend, this convict labor will be applied to the erection of these additional prisons, and their completion effected as soon by this means as by letting it out by contract, and certainly at not more than one-third of the expense. We also, in accordance with the proposition of the lessee above referred to, recommend that the property attached to the prison, and necessary to the labor of the convicts, be purchased at a price to be affixed by appraisers, two appointed by the Legislature and one by the lessee, payable in brick and stone in San Francisco at market prices.

The property here referred to consists of the necessary working tools for blasting and dressing stone, brick machinery, machine shop and steam engine, together with sixteen acres of land lying adjacent to the prison grounds, and upon which is situated the brick yard and dining room for the convicts, with other necessary buildings thereon. This purchase we deem necessary to the successful and convenient working of the convicts.

Should the plan here suggested by the committee be adopted, and the convicts of the State Prison be placed under the supervision of a warden or superintendent, we would not recommend that all the prisoners be removed forthwith to the prison ground for fear of an outbreak, but that one-half be engaged elsewhere in making bricks and quarrying stone, with which to pay for the property purchased in accordance with the agreement made with the lessee in the resolution and answer above referred to, which said resolution and answer is herewith submitted, marked exhibit "C."

Your committee in the course of their investigation, made some inquiry concerning the title the State has to the twenty acres of land on Point San Quentin, on which the prison is located, purchased from B. R. Buckalew, in pursuance to an Act passed May 1, 1852, depends on a Mexican grant, which said grant has not yet been confirmed, but are assured by the lessee that if said grant should not be confirmed that he holds the pre-emption claim to the same, and that he will make a title to the State as soon as a title from the General Government can be obtained. Although we do not believe the location as good as might have been selected, yet after so large an outlay of money as has been expended upon that ground, we are not disposed to recommend a removal of the prison, if good title can be obtained to the land purchased of Mr. Buckalew.

The Committee are preparing bills in connection with the prison and concerning

the future government of that institution, which bills they will present as soon as the bill herewith reported shall have passed.

All of which is most respectfully submitted.

JOHN T. CRENSHAW,
Chairman Senate Committee,

G. W. COLBY,

ASA KINNEY,
Chairman Assembly Committee,

E. J. CURTIS,
WILLIAM A. DANA,
H. P. A. SMITH,

B. C. WHITING,
Chairman Select Committee,

S. DAY,
H. P. HEINTZELMAN.

Document No. 23.

IN ASSEMBLY.]

[SESSION 1855.

REPORT

OF A MAJORITY OF THE

JUDICIARY COMMITTEE,

ON THE CONSTITUTIONALITY OF

ASSEMBLY BILL, NO. 199,

"An Act granting to James L. Graves and Thomas C. Burton and such others as they may associate with them, the right to construct a Toll Bridge across the American River, at or near the Mississippi Bar."

SUBMITTED APRIL 2, 1855.

[B. B. REDDING, STATE PRI

REPORT.

MR. SPEAKER :

The Committee on the Judiciary have considered Assembly bill No. 199, entitled "An Act granting to James L. Graves and Thomas C. Burton, and such others as they may associate with them, the right to construct a Toll Bridge across the American River, at or near the Mississippi Bar," and a majority submit the following report :

It is understood that the principal purpose of the present reference was to ascertain the opinions of this Committee in regard to the constitutionality of the bill, and therefore the question of policy and propriety will be left as presented by the previous report of the Committee on Roads and Highways. On the first submission of this question, a majority of the Committee thought that it would be readily determined by the application of a few general rules and principles of unquestioned accuracy, and that no labored argument by us could be required or even tolerated. It has, however, resulted that our first impressions were not justified. A minority of the Committee, reputable alike for ability and devotion to correct principles, after investigation, have expressed an opinion wholly antagonistic to that of ourselves.

Meantime, the Executive, in view of the duties imposed by his position, has deemed himself constrained to interpose his *veto* to the passage of two kindred bills, and the able and earnest views urged by his Excellency, cannot fail either directly or indirectly, to materially affect the determination of the question. But these circumstances, however embarrassing, cannot justify us in withholding a free and full expression of our own conclusions. We assume that it is as much the duty of the Legislature to exercise a power permitted by the Constitution when demanded by the public good, as it is to refrain from the exercise of a power which is denied by that instrument.

It is not alone the duty of government to do *no wrong*,—to fulfil the purposes of its creation it must *do right*. A just fidelity exacts of each department of the government a prompt vindication of the constitution, both against positive infraction and incautious abandonment. In view of our official oaths, we cannot, we dare not, passively surrender a constitutional power of the Legislature, the exercise of which may be necessary to secure the best interests of the State—and such in our opinion, is the power which is now the subject of argument.

By the common law of England, all Toll Bridges and Public Ferries were held to be prerogatives of the Crown, as representative of the State—and where the

right to keep or maintain either was granted to an individual, it was termed a *franchise*; in other words, it was "a royal prerogative in the hands of a subject." We hazard nothing when we affirm, that throughout the American Union the same rights have been asserted by the several States. With us, Toll Bridges and public ferries have been recognized as incidents or *prerogatives* of the municipal sovereignty, and have been granted to private citizens in the exercise of the Legislative discretion.

It is but a political truism, that the people of the State retain all powers not denied by their Constitution; and these powers in the absence of any constitutional restraint, they may exercise through their representatives. In the absence then of any constitutional inhibition, the subject matter of this bill is within the legitimate purview of the Legislative power. Those who deny the power must show the prohibition.

The doubt in this case is suggested by Section 31 Article 4 of our State constitution, which provides that "corporations may be formed under general laws, but shall not be created by special Act, except for municipal purposes. All general laws and special Acts passed pursuant to this section, may be altered from time to time or repealed." The bill under consideration is for a special Act, and for purposes other than *municipal*, within the meaning of the section. If, therefore, it proposes to create or confer corporate powers or privileges, it is within the prohibition. The Legislature cannot by special enactment create or confer such powers or privileges. We, however, confidently assume that a brief examination of the bill will show the entire absence of all ground to affirm that it proposes to create or confer any such power or privilege. A corporation is said to be an *artificial person*, and according to Blackstone there are five incidents inseparable from its very existence. Among these is a corporate name in which it must act—sue and be sued. It must have the attribute of succession, whereby its moneys and effects pass from its members to their successors without conveyance or assignment. All the corporators may change, but still there exists the same corporation, the same *artificial person*, possessed of the identical properties conferred by the Act of its creation.

The purposes and incidents of corporations are perhaps nowhere set forth more happily than by Chief Justice Marshall, in the *Dartmouth College vs Woodward*. "A corporation" says he, "is an artificial being invisible, intangible and existing only in contemplation of law. Being the mere creature of law, it possesses only those properties which the charter of its creation confers upon it either expressly or as incidental to its very existence." These properties continues he, "enable a corporation to manage its own affairs, and to hold property without the perplexing intricacies, the hazardous and endless necessity of perpetual conveyances for the purpose of transmitting it from hand to hand. It is chiefly for the purpose of clothing bodies of men in succession with these qualities and capacities that corporations were invented and used. By these means a perpetual succession of individuals are capable of acting for the promotion of the particular object, like one immortal being."

In another case, this eminent jurist says, "the great object of a corporation is to bestow the character and properties of individuality on a collective and changing body of men." With these explicit unambiguous definitions before us, we inquire, does this bill present one single characteristic of a corporation?—For ourselves, we must insist, that we do not recognize the first faint semblance of a body politic or artificial person.

The proposition is to confer a simple, ordinary *franchise* upon individuals, *quoad* individuals and not as corporators. It is not intended to invest these individuals with any capacities or properties which as natural persons they do not already possess. Naturally, they have the capacity to accept the grant of this franchise, and to exercise it in conformity with the law. Under the pro-

posed enactment they could not assume a corporate name, but must act in their individual names or their firm name. It is not proposed to create any capital or corporate stock which alone will be periled by the enterprise. Creditors will not be limited in their remedy to the common money or effects, but the grantees will be liable, jointly and severally to the extent of the common moneys and effects, and also to the extent of the several moneys and effects of each. It is then at most, but the common case of a franchise granted to corporations. In George's view of the existing (English) law, 29, it is said, "one of the greatest distinctions in contemplation of law, between partnerships and corporate companies, is that in the first the law looks to the individuals of whom the partnership is composed, and knows the partnership no otherwise than as being such a number of individuals; while in the second it sees only the creation of the charter, the body corporate, and knows not the individuals." Again, Lord Holt in the *King vs the City of London*, says, "neither the actual possession of property, nor the actual enjoyment of *franchises* is of the essence of a corporation." Every license or permission to keep a Toll Bridge or Public Ferry, is a franchise which may be held and enjoyed by the humblest citizen. The constitution does not prohibit the Legislature from conferring a franchise by special enactment—this is left entirely to the legislative discretion. In all this, we fully recognize the existence of *quasi* corporations. These may be private, but they must be created with powers *sub modo*, and for specified purposes only, and hence they are called *quasi* corporations. But still in all these there is some distinct and well defined corporate power or property. They may be imperfect corporations; but still *sub modo*, and for certain purposes they are corporations. In Angell and Ames on Corporations, it is said, "the joint stock banks in England of modern creation called into existence by the act of 7 Geo. IV., are considered *quasi* corporations, as that act provides for the continuance of the partnership, notwithstanding, a change of the partners. In this case, the partnership has the corporate attribute *succession*. And a mining joint stock company was deemed a *quasi* corporation, because a suit for a demand against the company might by virtue of an act of Parliament be brought against the *directors*. Here is attached the corporate liability of being sued without the names of each individual partner composing the company. The general assembly of the Presbyterian Church in Pennsylvania is not a *quasi* corporation, because it has not the capacity *to sue* as an *artificial person*. A *quasi* corporation is also established by law, but that assembly is not."

Here there is no corporate name, no succession, no creation of any capacity or property by law, and no characteristic whatsoever of a corporation.

But the difficulty in this case is supposed to be rendered more embarrassing by Section 33 of the same article of the constitution, which provides "That the term corporation, as used in this article, shall be construed to include all *associations and joint stock companies* having any of the powers or privileges of corporations not possessed by individuals or partnerships." And it is argued that "the object of the framers of the constitution in adopting the foregoing section was evidently to prohibit the law-making power from granting to private persons by special enactments *powers and privileges*, which in the absence of law could not be enjoyed by individuals or partnerships." But such is not the reading of the section. It clearly implies that there are *powers and privileges* which without special law may be enjoyed equally by corporations and individuals or partnerships. It does not prohibit the granting of any power or privilege which may be held and enjoyed by individuals or partnerships without any enlargement of their natural capacities, but powers and privileges which are peculiar to corporations.

The bill under review does not propose the creation of any new or additional

power or capacity in the grantees of the franchise. They are to take and exercise the same as natural persons—in their natural capacities, and none other. The privilege proposed to be conferred is not peculiar to a corporation either perfect or *quasi*—but may with equal legitimacy belong to individuals. It is no answer to these propositions to assert that natural persons without an act of law cannot hold or enjoy such franchise, for neither can it be so held or enjoyed by a corporation *ex proprio vigore*. Individuals associated as such cannot lawfully construct or maintain a Toll Bridge without the permission of the municipal sovereignty expressed either directly through the Legislature or indirectly through subordinate officials. If the same individuals become incorporated for the same purposes under the general law which is authorized by the constitution there is yet the same absence of legal right to the franchise. As a corporation they are no more entitled to the privilege than they were as individuals. In neither case can it be lawfully exercised without the permission of the State to which it ultimately belongs. The formation of a corporation for the purpose of exercising a franchise does not *ipso facto* imply a right to such *franchise*—that is to be acquired by a distinct substantive act. The privileges here proposed to be conferred are such as may be enjoyed by natural persons without any enlargement of their natural capacities—such as have been so enjoyed in this State from the organization of its government—such as have elsewhere been so enjoyed for hundreds of centuries. The powers and privileges intended to be prohibited by the constitution are such as are peculiar to corporations—such as natural persons without legislative aid cannot enjoy. It prohibits the creation by special act of associations and companies having any of the powers or privileges or corporations *not possessed by individuals or partnerships*. Where a power or privilege may be possessed alike by an individual or individuals and a corporation, there is no inhibition. It only attaches where the power or privilege is peculiar to a corporation, and is not equally possessed by individuals.

The conclusion to which we are unavoidably impelled is that these provisions of the constitution were intended to prohibit the creation by special enactments of corporations and *quasi* corporations, and not to prohibit the grant of a franchise to individuals or partnerships as such.

The attention thus bestowed upon this bill will avoid the necessity of any labored examination of the Assembly resolution, which has also been submitted for our consideration. The propositions embraced in the resolution are substantially as follows : 1. Can the Legislature constitutionally confirm to a corporation regularly formed under the general law for the purpose of constructing and maintaining a Toll Bridge a license issued to it by a Court of Sessions which has proved void for want of jurisdiction in such Court? 2. Can the Legislature confer upon such corporations powers or privileges additional to those which it was supposed to possess under the act of its creation and its original license, which has proved to be void?

These questions may involve graver difficulties than those presented by the bill already considered. We are, however, of opinion that the first must be determined affirmatively. Corporations may be formed under general laws, and special acts for their formation only are prohibited. In the case now presented it is not proposed that the Legislature shall or may create a corporation or confer any corporate power by special act, but simply to validate a power or privilege to a corporation already in existence and formed under the general law, which is explicitly authorized by the constitution. The case supposes the present existence of a body politic capable of receiving from the Legislature or others any grant consistent with the objects and purposes of its creation. If it was formed for the purposes of a Toll Bridge, we are of opinion that it may

receive directly from the Legislature the privilege of constructing and maintaining such bridge.

Our reasoning upon the bill already considered will apply to the second question embodied in the resolution. The Legislature may, in our opinion, by special act enlarge a simple franchise, as well as make an original grant thereof, but cannot create or enlarge a corporate power or privilege—cannot constitute a corporation either perfect or *quasi*.

It is urged that the grant of these privileges directly by the Legislature is fraught with danger to the public,—and in this there may be much force. We but say, that we are unable to see how a privilege threatens to be so disastrous when derived directly from the Legislature ; and yet exactly the same privilege with exactly the same incidents is perfectly safe and harmless when derived from the subordinate officials of the State. We are inclined to think that the danger, if any results from the *character* of the *privilege*, and not from the *source* whence it is immediately derived. For the protection of the public all such privileges ought to be vigilantly guarded and restricted, whether proceeding from special enactment or from the general law. We shall not in this connection pause to inquire whether the privileges now proposed to be secured are so guarded and restricted, and in conclusion have only to express our earnest fear that these, like nearly all of similar privileges which we have known to proceed from Courts of Sessions and Boards of Supervisors are incautiously expressed and without the limitations imperatively demanded by the general good. I am authorized to say that Messrs. Ashley, Farley, Sherrard, Taylor and Rogers concur in this report.

Respectfully, &c.,

P. L. EDWARDS, *Chairman*.

Document No. 24.

IN ASSEMBLY.]

[SESSION 1855.

REPORT

OF THE

SELECT COMMITTEE

WITH REFERENCE TO THE

CUSTOM-HOUSE BLOCK.

B. B. REDDING, STATE PRINTER.

MAJORITY REPORT.

REPORT.

MR. SPEAKER :

The Select Committee of five, appointed under a resolution of this House, "to investigate and report to this House what disposition has been made of the one hundred and fifty thousand dollars received by this State from the United States for the Custom House block in San Francisco, where said money now is, and whether at any time the money belonging to this State has been used by any person or persons, for his or their private business, and if so, how and by whom it was so used : and also whether any Comptroller's or other similar certificates given for services rendered, but for which no appropriation was made by the last Legislature, have been received by the State Treasurer, in payment for property sold by the State Board of California Land Commissioners, or for other property : and said Committee shall be fully authorized and empowered to send for persons and papers," in the discharge of their duties, have ascertained certain facts, which they beg leave to submit in the following Report :

Your Committee, with reference to the first point presented in the foregoing Resolution, are satisfied that the one hundred and fifty thousand dollars have been properly disposed of and applied to the payment of the civil seven per cent. bonds, and also that *no part* of "the money belonging to this State has been used by any person or persons for his or their private business" by the connivance or consent of the State Treasurer otherwise than has been manifested by that officer, in leaving the public money in the hands of private bankers, on *general* deposit.

But from the correspondence of the State Treasurer, and the testimony obtained from certain witnesses summoned before the Committee, they have arrived at the conclusion that the State Treasurer has acted *improperly* : Firstly—In advertising the payment of Bonds in Sacramento, when by law they were made payable in New York. Secondly—In receiving Comptroller's certificates and accounts of the Board of California Land Commissioners, in payment for the water-lot property of the State. And lastly—In making general deposits of the public moneys in different banking houses in this State, without specific restrictions as to their safe-keeping, beyond the provisions and penalties of an ordinary bond from the banker, with

whom the deposit was made. The Treasurer admits that he advertised that the Bonds of the State would have to be sent to Sacramento for payment, when the law under which they were issued, and the face of the Bonds themselves declared that they should be paid at the city of New York. Excuses are rendered for this course, which mitigate the offence of the State Treasurer, but your Committee are constrained to attract attention to its *manifest* and *exceeding impropriety*. Ill-natured men are ever furnished grounds for suspicion by the course pursued. For instance, it might appear to them, that this sort of injury inflicted on the credit of the State would depreciate the market value of the Bonds, and enable certain parties to profit by purchasing them at their depreciated value. Neither is this suspicion weakened from the fact that a brother of a partner of the firm of Palmer, Cook & Co., known to be large dealers and speculators in State stocks, was designated as the person who should give information to the Bond-holders in New York. The advertisement referred to appeared in the New York papers on the 10th day of February last, while we are informed that on the 17th day of January, arrangements were made to forward to Mr. John Cook, jr., (the brother of a partner of the firm of P., C. & Co. referred to, in New York) one hundred and ten thousand three hundred dollars, to redeem the Bonds which had been *ordered* to Sacramento. If Mr. Cook was aware of this arrangement, it would have been no difficult matter for him to take advantage of the panic caused by the failure of the State to meet her obligations, buy up the Bonds at a depreciated rate on ten days' time, pay for them out of the very money sent him by the Treasurer, and have a snug little sum left—as he would receive them at the market price, and turn them over to the State at par. Your Committee are induced to comment upon this point at some length, because of the peculiar state of facts in the case. On the 15th day of January a notice was sent out and published in New York on the 10th day of February, that the Bonds must be sent to Sacramento for redemption, while it appears that the next steamer carried out the money, and the Treasurer tells us the arrangement to send it forward was made on the 17th day of January.

The reception by the Treasurer of Comptroller's Certificates in payment for property sold by the State was clearly a *violation of existing laws*. No appropriation had been made to meet these claims; the work had been ordered, but no provision made to pay for it when done. It was not a *recognized debt* of the State, but merely an *unliquidated* claim. They were not warrants for money, but merely certificates that work had been done. To receive them, was to make the holders preferred creditors, and it was also interfering with the just claims of those who held warrants.

This is the more inexcusable from the fact that the State Treasurer last year refused to take in payment for the same property, Bonds which had been issued for building the State Prison, when they were undoubtedly a portion of the civil indebtedness of the State. He says that he required warrants to be substituted for the certificates. This is no satisfactory vindication, nor does it evince any wonderful prudence or care on his part, for it was just what he was obliged to do, in order to make his settlement with the Comptroller. His action was the holding money in trust, for a party awaiting the action of the Legislature on an *unadjusted* claim, a thing he had no right to do.

Lastly, the testimony discloses the fact, that a large, if not the greater part of the public funds has been left with private bankers at different times on *general* deposit. This privilege is clearly not allowed the State Treasurer, under the original law "concerning the office of State Treasurer, either in its letter or in the intent of the Legislators who enacted it—otherwise the subsequent Act of the Legislature, passed May 4th, 1854, "To authorize the Treasurer of State to make *special* deposits," was unnecessary and a nullity; nor does it appear that our immediate predecessors, composing the Legislature of 1854, so construed the original act of legislation on this subject, neither were they disposed to confer such power,

or allow such liberty to the State Treasurer ; for we find that they *repealed* the act authorizing *special* deposits.

The argument is plain, that if under the first law the Treasurer was empowered to make *general* deposits, there was no reason or necessity for the special enactment ; nor is the sense of the repeal of that enactment apparent, if the last Legislature deemed the State Treasurer authorized to make *general* deposits. The lesser privilege would unquestionably ensue from the greater, without legislation on the subject.

Whatever may be the arguments growing out of the failure of the State to provide a safe depository for the public moneys, adduced to justify the course pursued by the State Treasurer in leaving the moneys in the hands of private bankers, or the construction placed upon the law which may yet allow him to adopt this plan, the practice is in the highest degree objectionable, and if persisted in, may result in a serious injury to the public interests. Your Committee therefore feel impelled by a sense of duty, to urge the present Legislature to pass a law hereafter prohibiting such deposits, and providing for their safe keeping under the immediate supervision of the State Treasurer.

Your Committee further beg leave to communicate to this House, that one hundred thousand dollars (or thereabouts) of the public moneys, are at this time on special deposit with Palmer, Cook & Co. of San Francisco, (according to the testimony of a witness called before the Committee).

In conclusion, your Committee desire to exculpate the State Treasurer from all censure in the management of the affairs of his office, (so far as the knowledge of the Committee extends) other than may properly attach to him from the causes hereinbefore set forth.

The correspondence of the Committee with the State Treasurer is contained in letters numbered from *one* to *eight*, and the other evidence on which their Report is based, will be found in exhibits A, B, C and D.

All of which is respectfully submitted.

GEO. PEN JOHNSTON, *Chairman.*

D. O. ADKISON,
D. F. DOUGLAS,
A. H. MURDOCK.

MINORITY REPORT.

THE UNIVERSITY OF CHICAGO

R E P O R T .

MR. SPEAKER :

The undersigned, a minority of the Select Committee of five, appointed under a resolution of this House,

“ To investigate and report to this House what disposition has been made of the one hundred and fifty thousand dollars received by this State from the United States for the Custom House Block in San Francisco : where said money now is, and whether at any time the money belonging to this State has been used by any person or persons for his or their private business, and if so, how and by whom it has been so used ; and also whether any, and if any, what Controller or other similar certificates given for services rendered, but for which no appropriation was made by the last Legislature, have been received by the State Treasurer in payment for property sold by the State Board of California Land Commissioners, or for other property ; and said Committee shall be fully authorized and empowered to send for persons and papers.”

Respectfully beg leave to report that the minority fully agree with the majority, that the one hundred and fifty thousand dollars received from the United States have been properly disposed of and applied to the payment of the civil seven per cent. bonds, and also that “ no part of the money belonging to this State has been used by any person or persons for his or their private business by the connivance or consent of the State Treasurer.” But the minority of your Committee cannot agree with the implied censure cast upon the State Treasurer in consequence of his having made a general deposit of the money of the State, subject at all times to his order, nor can the minority concur in the reasonings by which the majority arrived at such conclusions.

It is well known that the State has never provided her Treasurer with a safe and secure vault in which to keep the money in his custody—in fact, that she has never provided him with anything except a common iron-chest, which is neither thief nor fire-proof, nor did she provide him with an office other than one where he is a tenant at will of the City of Sacramento, liable at any time to be turned out and to have his chest thrown into the street. From this situation of affairs, it seems to the

minority of your Committee to be self-evident that the State has looked to the personal responsibility of the Treasurer and his securities for the safety of the money, and not to the place where it was kept. As a further argument in favor of this view of the question, the minority of your Committee would call your attention to Sections 2 and 4 of the original law, passed January 25th, 1850, to which the majority refer, and which they say "did not, either in its letter or in the intent of the Legislature who enacted it," allow the privilege of making general deposits. As to the intent of the Legislators who enacted the original law, the minority of your Committee has no means of judging, except from the face or letter of the Act itself; but the minority thinks that the letter of that law shows an evident and incontrovertible intent on their part to make the Treasurer and his bondsmen responsible alike for the due performance of the several duties of his office—one of which is the safe keeping of the public moneys. Why, if it were otherwise, would it have omitted to have given any instructions whatever, either directory or mandatory, as to where or how the public moneys should be kept.

Again the majority of your Committee refer to the Act of April 4th, 1852, "authorizing the Treasurer to make *special* deposits" as an evidence that he was not allowed to make *general* deposits. The opinion of the minority is different. A reference to the law (see Codified Statutes, page 875) shows that the Legislature did not construe the Act of 1850 as giving power to the Treasurer to make special deposits at a place remote from the then seat of government and for the better security of the public moneys, passed a *special* Act, authorizing special deposits to be made at the city of San Francisco.

By reference to the proceedings of the Senate of 1854, it will be seen that this *special* Act was repealed, and no further direction in regard to the manner or place of the keeping of the public moneys was given. The minority of your Committee entertain doubts about the power of the Legislature to pass an Act compelling the Treasurer to keep the public moneys in any specified manner or place without releasing him from his official bond, until suitable provisions are made by the State for its safe keeping.

So far as keeping the public moneys on either general or special deposit is concerned, the minority of your Committee thinks with the majority that the practice is highly objectionable, but he cannot, under the circumstances existing, blame the Treasurer for this, the only method of protecting his own and the interest of the public.

As to the advertisement that the bonds due the 1st March, 1855, would be paid in the city of Sacramento instead of the city of New York, as provided for on the face of the bonds, the minority of your Committee deems it more justly chargeable to the lameness of the law, or perhaps undue caution of the Treasurer than to any disposition on his part to wilfully refuse to discharge his duty faithfully, but cannot agree with the majority that it was either an "offense" or a matter of manifest or exceeding impropriety.

The minority of your Committee cannot agree with the majority that any suspicion should rest upon the Treasurer or upon Messrs. Palmer, Cook & Co., who were constituted agents of the State in the disbursement of the one hundred and ten thousand three hundred dollars, of any corrupt design against the State, in consequence of what the majority *presumed* might have been the effect of the advertisement. It is unjust and unfair for a committee of this body to place upon our records and send forth to our constituents without any evidence whatever to support it, relying upon a bare *presumption* of what *might* occur, matter for ill-natured men to base declarations upon, tending to injure the reputation of a State officer, or other public agent of the State, and render them odious to the people.

The evidence before your Committee derived from the statements of the Treasurer satisfies the minority of your Committee of three important facts: 1st—That the notice above referred to was of but two or three days' duration. 2d—That the

money was promptly forwarded to the city of New York in time to meet the payment of the bonds in question. And 3d—That the bond-holders were duly notified by the Treasurer of the change in the arrangement, and also that no important injury resulted either to bond-holders or the credit of the State.

As to the charge made by a majority of your Committee against the State Treasurer, of having violated "existing law" in receiving the certificates of the Controller of State, and of the California Board of Land Commissioners, the minority deems that he merely performed a duty which justice and the law imposed upon him. It will not be denied that certain important duties were required by law to be performed by the State Printer, and that in some instances specific prices to be paid in consideration of them, determined by the Legislature; that these services were performed, accounts for which were duly rendered, and certified as correct by the proper auditing officers. As to whether the necessary appropriations to meet these liabilities were actually made or not, a proper regard to the true interests of the State should have caused it to have been done, to say nothing of that of her honest and confiding creditors. In proof of this, the minority of your Committee would desire to point you to the bill now before this body, providing relief for the State Printer for injuries sustained by him by a delay of the payment contemplated by the law for important public services rendered. In relation to that portion of those certified evidences of civil indebtedness accruing from the State printing, the acting Attorney General, Mr. Wm. M. Stewart, holds the following language in an official communication to the State Treasurer, a copy of which is in the possession of your Committee, viz: "The accounts are of just as high a character in equity as any other evidence of civil indebtedness." In relation to the certificates of State indebtedness, the Hon. John A. McConnell, Attorney General and legal adviser of the State Treasurer in the same official manner, says, "I think those debts perfectly legal, and the State cannot, with any show of propriety, refuse to receive them."

Therefore, the minority of your Committee is of the opinion that if the Treasurer is chargeable with a violation of the strict letter of the law, as alleged by a majority of your Committee, the error was not against the honor or credit of the State, but an equitable and praiseworthy vindication of both, and founded in a respect for the rights of individuals.

The minority of your Committee agrees fully in the propriety of, and necessity for, some immediate provision by which the public moneys, vouchers, &c., of the State Treasurer's office can be safely kept under the individual charge of the proper officer of the State.

In conclusion, the minority of your Committee is of the opinion that no just censure can attach to the officer in charge of the State Treasury department for the manner in which he has discharged the duties of his office, although he entertains a due respect for the opinions of that portion of the Committee from whose opinions in many respects touching the matters at issue, he has felt himself, in justice to the parties concerned, respectfully to dissent.

All of which is respectfully submitted.

T. C. FLOURNOY.

APPENDIX TO REPORT.

CORRESPONDENCE.

LETTER NO. 1.

STATE TREASURER'S OFFICE, }
Sacramento, March 9, 1855. }

Hon. G. P. JOHNSTON,
Chairman.

SIR :

I have this day, the honor to acknowledge the receipt of a communication, (dated March 8th) signed by yourself, as chairman, and by the Hon. D. F. Douglas, A. H. Murdock, T. C. Flournoy and D. O. Adkison, containing certain inquiries in relation to the "one hundred and fifty thousand dollars, received by this State, from the United States, for the Custom House Block in San Francisco," &c.

It will afford me much pleasure to furnish the Committee with any and all information upon the subject embraced in the Resolution to which my attention is drawn, within the limits of the *two days* allowed me.

I have the honor to be,

Very respectfully,

Your obedient servant,

S. A. McMEANS,
State Treasurer.

LETTER NO. 2.

STATE TREASURER'S OFFICE, }
 Sacramento City, March 9, 1855. }

HON. GEO. P. JOHNSTON,

Chairman of the Select Committee,

To whom was referred the subjoined Resolution, viz.:

Resolved, "That a Committee of five be appointed, whose duty it shall be to investigate and report to this House what disposition has been made of the one hundred and fifty thousand dollars received by this State from the United States for the Custom House Block in San Francisco, where said money now is, and whether at any time the money belonging to the State has been used by any person or persons for his or their private business, and if so, how, and by whom it was so used; and also, whether any Controller's, or other similar certificates, given for services rendered, but for which no appropriation was made by the last Legislature, have been received by the State Treasurer, in payment for property sold by the State Board of California Land Commissioners, or for other property; and said Committee shall be fully authorized and empowered, to send for persons and papers."

SIR :

In reply to the interrogatories contained in the foregoing resolution, I have the honor to submit the following statement :

As to the disposition made of the one hundred and fifty thousand dollars, received by this State from the United States, for the Custom House Block in San Francisco, and where said money now is? I beg leave to say, that one hundred and ten thousand three hundred dollars of this money has been forwarded to New York City, so as to meet the payment of that amount of the civil seven per cent. bonds of this State, falling due the first day of March, 1855. The remaining balance of thirty-nine thousand seven hundred dollars is now in the State Treasury, and being tendered (by advertisement) to such holders of the civil seven per cent. bonds as may see proper to surrender the same prior to maturity. (See an Act supplementary to an Act to fund the debt of the State, passed May 4th, 1852).

To the question whether at any time the money belonging to this State has been used by any person or persons, for his or their private business, and if so, how, and by whom it was so used? I answer, that no part of the money belonging to this State has been used at any time by any person or persons for his or their private business to my knowledge or with my consent.

The State having failed to provide any suitable place for the safe keeping of the public moneys, it became my duty, to myself and the public interest, to deposit them in such banking houses in this State as I deemed most secure, not, however,

without having first taken bond with ample security for the safe keeping and prompt delivery of them to me upon demand, prohibiting in all instances the use of any moneys thus deposited.

Your third and last inquiry I shall take the liberty to resolve into two separate and distinct heads, which I shall answer *seriatim*.

As to whether any Controller's certificates given for services rendered, but for which no appropriation was made by the last Legislature, have been received by the State Treasurer in payment for property sold by the State Board of California Land Commissioners, or for other property?

I submit the following statement, viz.:

Differing with the State Controller in opinion as to the true construction of the 12th and 13th sections of the Act entitled "An Act to create the office of State Printer," &c., passed May 1st, 1854, I was influenced to ask the acting Attorney General for his written opinion upon the subject. This officer decided that my construction of the Statute above cited was correct, that the Controller's certificates to the justice of a claim held by the State Printer for services rendered under that Act, could be legitimately received by me in payment for property "sold by the State Board of California Land Commissioners," as any other evidence of State indebtedness.

Before, however, I received any of said certificates, the parties presenting them obligated themselves, to substitute State Controller's Warrants in their stead, should I subsequently require it, which has been done.

As to the other branch of the inquiry—to wit—whether "other similar certificates" given for services rendered, &c., have been received by the State Treasurer, in payment for property sold by the Board of Land Commissioners, I submit the following statement:

It having become necessary to determine the propriety and legality of receiving certificates of State indebtedness, issued by the Board of Commissioners and certified by the President of the Board, I sought the written opinion of the Attorney General, who decided that I had a right, under the Statute, authorizing the sale of State property, to receive them.

For the further protection of the State, I declined so doing, until the parties tendering them in payment, obligated themselves to substitute other evidences of State indebtedness, should I at any time thereafter deem it necessary. This demand having been made by me, subsequently, Warrants drawn by the State Controller have been substituted.

All of which is respectfully submitted.

Your obedient servant,

S. A. McMEANS,

State Treasurer.

LETTER NO. 3.

SACRAMENTO, March 14th, 1855.

DEAR SIR :

The Select Committee having under consideration the Resolution adopted by the Assembly, concerning the one hundred and fifty thousand dollars received for the Custom House Block, acknowledge the receipt of your communication of the 9th inst., and respectfully ask you to inform them, why the specific sum of one hundred and ten thousand three hundred dollars was forwarded to New York ; and in what paper or papers, of what city, did you advertise the payment there of that amount ; also, when and where, you advertised the contemplated payment of the civil seven per cent. bonds which might be surrendered prior to maturity ?

A speedy answer to these interrogatories is requested.

Yours respectfully,

(Signed,) GEORGE P. JOHNSTON, *Chairman*,
 “ DAVID F. DOUGLAS,
 “ T. C. FLOURNOY,
 “ D. O. ADKISON,
 “ A. H. MURDOCK,

Hon. S. A. McMEANS,
 State Treasurer.

LETTER NO. 4.

STATE TREASURY DEPARTMENT, }
 Sacramento, March 15, 1855. }

TO THE HON. THE SELECT COMMITTEE,

Having under consideration the resolution adopted by the Assembly, concerning the one hundred and fifty thousand dollars received from the Custom House Block, &c., &c., &c.

GENTLEMEN :

Your communication under date March 14th inst. is received, and in accordance with your wish I hasten to reply. My reasons for sending to New York the sum of \$110,300 are simply as follows: The amount of outstanding civil 7 per cent. bonds due March 1st, 1855, was \$109,000, the accrued interest on same from 1st January last to 1st of March *actually* amounted to \$1,270 34, or within a fraction of \$1,300, which amounts added together, makes the \$110,300. By the law and a copy of the accompanying bond, you will perceive these bonds are payable in the city of New York.

The arrangement for forwarding the money was made on the 17th of January last, and the money forwarded in due time to meet the payment. Since that time, however, a sufficient time has not elapsed to enable me to know in what paper in New York bond-holders were notified of the arrangement the State had made to pay the bonds in that city.

In relation to the inquiry as to "when and where you advertised the contemplated payment of the \$39,700 civil seven per cent. bonds," I answer: In the *California Chronicle*, published in the city of San Francisco; a copy of the advertisement I enclose, which covers the \$39,700.

I have the honor to be,

Very respectfully your

Obedient servant,

S A. McMEANS,

State Treasurer.

[ADVERTISEMENT.]

STATE TREASURY DEPARTMENT, }
 Sacramento, Jan. 30, 1855. }

Redemption of State seven per cent. bonds. In accordance with an Act of the Legislature, passed May 4th, 1852, entitled "An Act supplementary to an Act to fund the debt of the State," passed April 29th, 1851. The sum of *sixty-six thousand five hundred dollars* has been set apart for the redemption of seven per cent. bonds of the State of California: therefore, the holders of any of the bonds issued under the Act of April 29th, 1851, and payable on the 1st of March, 1861, are hereby notified, that sealed proposals will be received at this office until 12 o'clock M. on Saturday, the 3d day of March, A. D. 1855, for the redemption of such bonds, from \$500 upwards.

Bidders will state at what rate not exceeding par value they will exchange their bonds (less coupons 1, 2, 3, 4, 5, 6 and 7) for cash. Twenty-five per cent. on the amount bid to accompany the proposal; without which no bill will be considered. In case the bid is not accepted, the deposit will be returned. Four months from this date will be allowed for the delivery of the bonds. Proposals to be endorsed, "Proposals to surrender seven per cent. bonds."

S. A. McMEANS,
 Treasurer of State.

Bids under former advertisements accepted.

John Perry, jr.,	-	-	-	\$12,500	00	at par and accrued interest.
J. P. McFarland,	-	-	-	500	00	" " "

No other bids.

LETTER NO. 5.

SACRAMENTO, March 16th, 1855.

SIR :

The Select Committee, of which I am Chairman, desire me to inquire of you, whether you authorized the insertion of the following advertisement in the New York papers ? and if you did, to request you to state your reasons for such a course.

Yours respectfully,

GEO. P. JOHNSTON,
Chairman.Hon. S. A. McMEANS,
State Treasurer.

COPY OF ADVERTISEMENT.

NOTICE—Seven per cent. Bonds of the State of California.—Holders of the seven per cent. bonds of the State of California, becoming due on the 1st day of March, 1855, are hereby notified, that said bonds will be redeemed upon presentation at the office of the Treasurer of the State of California, in Sacramento City, and that the funds arising from the payment will be forwarded to the holders in New York, at the expense of the State, if desired.

Information in reference thereto can be obtained of Mr. John Cook, jr., No. 31 Broadway, New York.

S. A. McMEANS,
Treasurer of State of California.

LETTER NO. 6.

STATE TREASURY DEPARTMENT, }
 Sacramento, March 16, 1855. }

HON. GEO. P. JOHNSTON,
 Chairman of Select Committee, &c.

SIR :

In reply to your communication of this date, I beg leave distinctly to state, that I did direct the publication to which you refer, (a copy of which I find attached thereto) and recognize it as my individual act, and am alone responsible therefor. My chief reason for doing so will be found in the fact that the Funding Act of 1851, does not authorize the State Treasurer to forward funds to pay the principal of these bonds, nor does it provide any means for transmitting the same.

I deem it necessary to add, that on the 15th of January last, I gave the order for the advertisement above-mentioned, and on the 16th, attempted to stop this notice, but the order failed to reach San Francisco in time to anticipate the sailing of the steamer. On the 17th of the same month, I entered into an arrangement with Messrs. Palmer, Cook & Co., of San Francisco, for forwarding the money by the next steamer leaving for New York, at the same time directed a contradiction of the advertisement alluded to, and directed a second notice to be published in that city, *prior* to the maturity of the bonds in question, which His Excellency, Gov. Bigler, has been informed by private advices, was known in New York before the sailing of the steamer, bringing intelligence of the anticipated failure of the State to provide means to pay the bonds falling due in that city on the 1st of March.

The change in my course in relation to forwarding the money to meet these bonds, grew out of a determination on my part to assume the risk and responsibility of doing so, based upon what I conceive to be a liberal interpretation of the intention of the framers of the Funding Act of 1851, as well as a desire to protect the credit of the State at any hazard.

The supplementary Funding Act of 1852, directs more particularly how the money accumulating in the sinking fund, shall be paid out.

For your examination, I append copies of documents relative to the matter.

I have the honor to be,
 Very respectfully,
 Your obedient servant,

S. A. McMEANS,
 State Treasurer.

LETTER NO. 7.

SACRAMENTO, March 21st, 1855.

SIR :

Anxious to obtain the most accurate information, prior to making their report, the Select Committee, upon the subject of the one hundred and fifty thousand dollars, received for the Custom House Block, &c., respectfully propound the following questions, and request answers thereto, at your earliest convenience.

In what banks have deposits been made, at what time, and in what amounts have such deposits been made? What are the names of the bondsmen in each case of deposit? On what conditions do the banks keep the funds of the State? If not paid for receiving such deposits, nor allowed to use them, what object have they to gain (in your opinion) by receiving, and keeping them? Are they, or any one else preferred, when the Treasurer redeems Controller's Warrants in cash?

Respectfully,

(Signed,) GEO. P. JOHNSTON, *Chairman.*
 " DAVID F. DOUGLAS,
 " D. O. ADKISON,
 " T. C. FLOURNOY,
 " A. H. MURDOCK.

Hon. S. A. McMEANS,
 State Treasurer,

LETTER NO. 8.

STATE TREASURY DEPARTMENT, }
 Sacramento, March 21, 1855. }

To the Hon. the Special Committee, &c.

GENTLEMEN :

Your note under to-day's date is received, and in reply to your first interrogatory, "In what banks have deposits been made, at what time, and what amounts," &c.? I have the honor to state that the largest amounts have been deposited with Messrs. Palmer, Cook & Co., and Read & Co., beside which small and temporary deposits have been made with the banking houses of Page, Bacon & Co., Adams & Co. and D. O. Mills & Co.

The nearest approach I can make as to what time and amounts such deposits have been made, is to append a list of balances at various times, in the different banks.

In the case of Palmer, Cook & Co., Read & Co., and D. O. Mills & Co., bonds were taken—copies of which are herewith transmitted.

Your second inquiry—"On what condition do the banks keep the funds of the State? If not paid for receiving such deposits, nor allowed to use them, what object (in your opinion) have they to gain by receiving and keeping them?" I answer, that no consideration had ever been exacted or paid to bankers for safe keeping of the public moneys; their objects (according to statements made by them to me) was to increase public confidence in their solvency, by the assurance that their offices were made the depositories of the State funds.

Your third and last question—"Are they, or any one else preferred, when the Treasurer redeems Controller's Warrants in cash?" I answer, *no preference* has ever been given in this office in the redemption of Controller's Warrants in cash. I have strictly and invariably adhered to the rules established by my predecessor, Maj. Richard Roman, to wit.: Paying pro rata upon Warrants presented by plurality of persons, holding Warrants in the aggregate greater than the amount of cash on hand, (a copy of the rules established, and some correspondence, I enclose for your inspection).

With much respect,

I have the honor to be

Your obedient servant,

S. A. McMEANS,

State Treasurer

RULES AND REGULATIONS OF STATE TREASURY DEPARTMENT.

1st. No moneys will be received or paid out, except during office hours—from 12 o'clock M. to 2 o'clock P. M.

2d. No moneys will be considered received and ready for payment until the Controller's order shall be read aloud by the clerk receiving the same, and the money counted and paid over.

3d. Holders of Warrants desiring to claim pro rata will tender their Warrants to the Clerk, who, after counting the same, will declare the entire amount presented, and the amount to be paid, and the amount of cash each holder is entitled to, which will be in strict accordance with the amount presented.

4th. No Warrants will be considered as presented for payment after the Clerk shall have made the apportionment or proceeded to make the same.

5th. Any holder of Warrants presented may demand to see or compute the amount of Warrants of any other holder's Warrants.

6th. Any person who shall present his Warrants for a larger sum than they actually amount to, shall forfeit his right to pro rata for that payment.

7th. No money will be received or disbursed, except at the Cashier's desk, in the office of Treasurer of State.

The only transaction of any kind in or about the office that could by any, the remotest, inference be construed to render Dr. McMeans obnoxious to the foul charges made against him is the following, which very fully explains itself:

OFFICE OF STATE TREASURER, }
Benicia, Cal., January 12th, 1854. }

MESSRS. PALMER, COOK & Co.:

Yours of yesterday has been duly received, containing Controller's Warrants,

No. 770, - - - -	\$218	Brought up, - - -	\$1683 00
" 495, - - - -	800	No. 1142 - - -	833 33
" 998, - - - -	625	" 989 - - -	416 66
" 750, - - - -	40	" 1137 - - -	500 00
	<hr/>		<hr/>
	\$1683		\$3,432 99

and I beg to inform you that since the assembling of the Legislature the general fund has been entirely exhausted in payment of the per diem and mileage of members; in consequence thereof, there are no funds to meet the payment of your Warrants.

I have found it necessary to prevent the cry of partiality, to make it a strict rule

to receive no Warrants on deposit to be presented for payment by myself or any of the attachees of this office, and I have to ask that you advise me to turn over to some other agent for presentation and payment of the Warrants referred to.

I am, respectfully,

Your most obedient servant,

S. A. McMEANS, *Treasurer*,
per GEO. W. GIFT, *Clerk*.

BANKING HOUSE OF PALMER, COOK & Co., }
San Francisco, Jan. 13th, 1854. }

Hon. S. A. McMeans, State Treasurer, Benicia.

DEAR SIR :

Your favor of yesterday was received this morning. We supposed there was an amount in the general fund sufficient to meet all the Warrants at present drawn upon it, or we should not have sent the Warrants to you direct. Will you be kind enough to send them to Col. W. W. Gift, at the U. S. Registrar's office.

Very respectfully,

Your obedient servants,

PALMER, COOK & CO.

EXHIBITS.

(A.)

ATTORNEY GENERAL'S OFFICE, }
October 26th, 1854. }

HON. S. A. McMEANS.

DEAR SIR :

I have the pleasure of answering your letter of the 16th inst., asking my advice as to whether the State Treasurer ought to receive the audited accounts of the State Printer, certified by the Controller of State, to be just and lawful indebtedness against the State, under his official seal, in payment for water lot property sold by the State Land Commissioners.

The Act providing for the sale of said water lot property, provides, that the State Treasurer may receive in payment "cash or the civil bonds of the State of California, or the civil warrants of the Controller of State on the Treasury." Strictly speaking, the said accounts of the State Printer are not included in the evidence of indebtedness which you are required to receive, and, in my opinion, you cannot be compelled to receive them, if you do not think proper. But it is unreasonable to suppose that the Legislature intended to be technical in such a matter. In my opinion, the accounts are of just as high a character in equity as any other evidence of indebtedness against the State, and that there is no impropriety in receiving the same in payment for State property.

I am, with high respect,
Your obedient servant,

WM. M. STEWART,
Acting Attorney General.

SACRAMENTO, February 10th, 1855.

To the Treasurer of the State of California.

DEAR SIR :

My attention has been called to the question—Whether the Board of California Land Commissioners has the power to contract debts against the State in the performance of its various duties ?

The latter clause of the 8th Section of the Act creating the Board, declares that they (the Commissioners) are hereby authorized in and by the name of the People of the State of California to bring and maintain all suits, &c., and to do any *other act*, or to exercise any other *power* necessary to carry out the provisions of this Act. This clause, it seems to me, covers the whole ground embraced in the question. If it is necessary in carrying into effect the provisions of the Act referred to, (and the Board must be the sole judge of the necessity that the Board incur debts,) then I think those debts perfectly legal, and the State cannot, with any show of propriety, refuse to pay them.

I remain, &c.,

J. R. McCONNELL,
Attorney General.

It follows from the above, that the Board has the right to pay the expenses necessarily incurred out of the proceeds of sales made by it.

J. R. McC.

(B.)

This agreement, made this 16th day January, A. D. 1855, between Palmer, Cook & Co., of the city of San Francisco, parties of the first part, and Hon. S. A. McMeans, Treasurer of the State of California, party of the second part, witnesseth :

That the said parties of the first part, for and in consideration of the sum of \$110,300, to them in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, have agreed, and by these presents do agree to pay at the office of John Cook, jr., No. 31 Broadway, New York, said amount of \$110,300 of the civil fund bonds of the State of California, becoming due and payable in the city of New York on the 1st day of March next, on the presentation of said bonds at the office of John Cook, jr., in New York, and that they will cause advertisement and notice to be made in three or more papers published in the city of New York, that said bonds will be paid upon presentation as aforesaid, and the said party of the second part hereby agrees to pay to the said parties of the first part three per cent. upon the moneys paid out by them as above, as a remuneration for expenses incurred by them in remitting said money to New York, and in paying said bonds as above.

January 16th, 1855,

Signed at San Francisco,

PALMER, COOK CO.,
S. A. McMEANS,

State Treasurer.

In presence of H. D. WALBRIDGE.

Received, San Francisco, January 17th, 1854, from S. A. McMeans, State Treasurer, one hundred and ten thousand three hundred dollars, for the purpose of paying the civil fund bonds of the State of California, payable in New York City on the first day of March, 1855.

PALMER, COOK & CO.

\$110,300.

SAN FRANCISCO, January 17th, 1855.

GEO. K. FITCH—

DEAR SIR :

Having determined to forward money to New York to meet those bonds of the State which fall due the 1st of March, 1855, in view of our conversation the day before yesterday on the subject, I desire you to know it, that you may countermand the order you contemplated, by the next steamer,. The money will be paid here however, if your bonds should leave New York before advices reach there through the next steamer, or I will cause it to be paid there, as you may elect.

I have the pleasure to be,
Very respectfully,
Your obedient servant,

S. A. McMEANS.

Document No. 25.

IN ASSEMBLY.]

[SESSION 1855.

REPORT

OF THE

SELECT COMMITTEE

WITH REFERENCE TO

DIVISION OF THE STATE.

B. B. REDDING, STATE PRINTER.

REPORT.

Mr. Speaker :

The Select Committee, to whom was referred Assembly bill No. 262, having had the same under consideration, beg leave to report a substitute, (which appears below) and in compliance with the instructions of the House, have drafted the following Address to the people of California :

TO THE PEOPLE OF CALIFORNIA :

The undersigned respectfully submit An Act providing for a division of the State, with explanations and comments.

AN ACT TO CREATE THREE STATES OUT OF THE TERRITORY OF CALIFORNIA.

The People of the State of California, represented in Senate and Assembly, do enact as follows :

SEC. 1. There shall be created and established out of the territory embraced within the following boundaries, to wit : commencing at the point of intersection of the forty-second degree of north latitude, with the one hundred and nineteenth of longitude, west from Greenwich ; thence running in a straight line in a southeasterly direction to the river Colorado, at a point where it intersects the thirty-fifth degree of north latitude ; thence down the middle of the channel of the said river to the boundary line between the United States and Mexico, as established by the treaty of May 30, 1848 ; thence running west along said boundary line to the Pacific Ocean, and extending therein three English miles ; thence running in a northwesterly direction and following the direction of the Pacific coast to the forty-second degree of north latitude ; thence on the line of the said forty-second

degree of north latitude to the place of beginning ; also, all the islands, harbors, and bays along and adjacent to the Pacific coast.

SEC. 2 The territory embraced within the following boundaries, and taken from the territory described in the first section of this Act, commencing at the mouth of the Pajaro River, running up said river to the summit of the Coast Range ; thence in a straight line to the mouth of the Merced River ; thence running up said river to the summit of the Sierra Nevada ; thence due east to the State line ; thence southeasterly along said line to the boundary line between the United States and Mexico ; thence along said boundary line to the Pacific Ocean, and extending therein three English miles ; thence running in a northwesterly direction and following the direction of the Pacific coast to a point west of the mouth of the Pajaro River ; thence east to the point of beginning ; also, all the islands, harbors and bays along and adjacent to the Pacific coast, shall constitute the State of *Colorado*.

SEC. 3. The territory embraced within the following boundaries and taken from the territory described in the first section of this Act, commencing at the mouth of Maron's river, thence running due east to where it intersects the boundary line between Yuba and Butte counties ; thence easterly along said boundary line between Yuba and Butte counties to the boundary between Sierra and Plumas ; thence east along said boundary to the summit of the Sierra Nevada ; thence east to the State line as described in the first section ; thence along said line in a northwesterly direction to the point of beginning as described in first section ; thence west along the forty-second degree of north latitude to the Pacific Ocean, and extending therein three English miles ; thence in a southeasterly direction, and following the direction of the Pacific coast to a point west of Maron's river ; thence east to the point of beginning ; also, all the islands, harbors and bays along and adjacent thereto, shall constitute the State of *Shasta*.

SEC. 4. That part of the territory embraced within the boundaries as described in the first section of this Act, and not embraced within the second and third sections, shall be the State of *California*.

SEC. 5. The people residing within the territories of Colorado and Shasta, shall be, and they are hereby authorized, so soon as the consent of the Congress of the United States shall have been obtained thereto, to proceed to organize each a State government, under such rules and regulations as are prescribed in the Constitution of the United States and the State of California.

SEC. 6. So soon as separate governments shall be established in the new States of Colorado and Shasta, at the first session of the Legislatures thereof, they shall appoint each a Commissioner by joint ballot, to act with a similar one to be appointed by the State of California, whose duties it shall be to ascertain the entire amount of the debt of the State of California, and they shall apportion the amount to be paid by each State, which amount shall be ascertained by reference to the amount of property owned and possessed by the inhabitants of each State.

SEC. 7. The Commissioners thus appointed, shall take as their basis, the last assessment of property made by the respective Assessors of the State and county taxes, to ascertain the amount which each shall pay.

SEC. 8. So soon as the Commissioners shall have ascertained the amount to be paid by the States of Colorado and Shasta, the Governors thereof, shall cause to be issued bonds of the State, payable to the State of California, bearing the same rate of interest which the State of California is now paying, and have the same delivered to the Treasurer of the State of California, for the use and benefit of the State.

SEC. 9. All the requirements and powers of the Constitution of the State of

California shall apply and be in full force and effect, in the new States of Colorado and Shasta, and shall not be altered or changed by the people thereof, until the expiration of one year from the date of the formation of a State government, in said States.

SEC. 10. At the first session of the Legislatures of the States of Colorado and Shasta, provision shall be made by law to create a Sinking Fund, to pay the principal and interest accruing on the bonds of the State, issued to pay her proportion of the debt of the State of California.

Section 1 alters the boundary line of California on the east, so as to embrace every portion of the eastern slope of the Sierra Nevada mountains which borders the present State of California, which can be brought under profitable cultivation. The line, as proposed by this section, will run through the centre of the Great American Desert.

Section 2 creates a new State, to be called *Colorado*, containing the portion of territory now known as the counties of San Diego, San Bernardino, Los Angeles, Santa Barbara, San Luis Obispo, Monterey, Merced, Tulare, Buena Vista, and Mariposa, (except a narrow strip of the last, in the northeastern corner thereof.)

Section 3 creates a new State, called *Shasta*, composed of the present counties of Klamath, Siskiyou, Humboldt, Shasta, Trinity, and Plumas, all that portion of Butte lying north of the town of Bidwell, (including that town,) the northern part of Colusi, (being about one half of that county,) and the northern portion of Mendocino, (being about one-third of that county.)

Section 4 declares what portion of the present State shall remain the State of *California*, to wit : the counties of Santa Cruz, Santa Clara, San Francisco, Alameda, Contra Costa, San Joaquin, Stanislaus, Tuolumne, Calaveras, Amador, El Dorado, Sacramento, Yolo, Solano, Napa, Sonoma, Marin, Placer, Nevada, Sierra, Yuba, Sutter, that part of Butte south of Bidwell, the southern half of Colusi, the major portion of Mendocino, and a small strip of the northeastern corner of Mariposa. (The foregoing division and subdivision of counties is made on the basis of Eddy's Map of the State of California.)

Sections 5, 6, 7, 8, 9, and 10, require no comment. The objects contemplated in these sections will be apparent on reading the bill, as set forth above. The relative size of the three States as described, is as follows, viz. : *Colorado* will be the second in its dimensions in the rank of the States now in the Union, *California* the third and *Shasta* the ninth.

The population of California, as now bounded, amounts to near 500,000 souls. It is impossible for the Committee to ascertain the exact proportions of this amount, which will be distributed among the three new States ; the Committee are, however, satisfied, that there will be a sufficient number of people in each of the States to obtain the admission of each into the Union under existing laws. In fact, there is no provision of the Constitution of the United States, nor is there any enactment of the Federal Legislature, which requires any fixed number of inhabitants to constitute a State.

The taxable property contained within the boundaries of the State of *Shasta*, (as proposed,) for the year 1854, amounted in value to about \$7,000,000. On this amount, taxes will be paid into the State Treasury, amounting to \$41,156 ; foreign miners' license and poll tax, from the same counties, amounts to \$48,756 ; and taxes from other sources, upon merchants, billiard tables, taverns, &c., will be \$10,000, or upwards ; amounting in the aggregate to about \$100,000.

The taxable property contained within the boundaries of the State of *California* (as it will remain) for the year 1854, amounted to 97,661,000 dollars ; on this amount, taxes due the State Treasury will amount to 585,966 dollars ; foreign miners' license and poll tax, from the same counties, will reach 234,399 dol.

lars; and taxes from other sources, upon merchants, billiard tables, taverns, &c. will be about 150,000 dollars; amounting, in the aggregate, to near 970,365 dollars.

The taxable property contained within the boundaries of the State of *Colorado*, (as proposed,) for the year 1854, amounted to about 9,764,000 dollars in value. On this amount, taxes due the State Treasury will amount to 58,584 dollars; foreign miners' license and poll tax, from the same counties, will be near 20,958 dollars; and taxes from other sources, upon merchants, billiard tables, taverns, &c, will be about 7,000 dollars; amounting, in the aggregate, to about 86,000 dollars.

These estimates are based upon the State Treasurer's and State Comptroller's Reports, and upon information derived from other reliable quarters.

The Committee are convinced, that this financial condition will annually undergo vast improvement, and before the accomplishment of the division now proposed, each of the States will be amply able to support the expense of a separate Government. In addition to this promising perspective, to each of the two new States, under the present laws of the United States, will be allowed five hundred thousand acres of land, for School purposes, by the General Government.

The Committee have succinctly stated the financial points of this question, and now proceed to look at it in its other bearings.

The interests of the different regions, out of which it is proposed to form these States, are widely dissimilar; unlike also, in the character of their resources, the investment of capital, and the direction of labor, laws so diversiform, and often contrary, are required, that it seems impossible for the same body of men, representing constituencies so varied, to agree in their enactment. The experience of the members of the Committee since the commencement of the present session of the Legislature, goes far to justify an opinion of the unavoidableness of this want of harmony. The division now contemplated, does not entirely overcome this difficulty, but renders the necessity of special legislation of less frequent occurrence.

The present extent of territory is also found to be inconvenient and harassing to the people in the operations of the Supreme Judiciary System. In consequence of the remoteness of suitors from the fountain of justice, the Supreme Court, many grievances have to be borne without remedy, numerous erroneous decisions are allowed to stand as the awards of right, because of the expense and delay incurred and suffered by an appeal to the highest judicial tribunal of the State. Numberless instances might be cited to prove that the order of things now existing, the obstacles in the way of presenting questions for the consideration and judgment of our ablest jurists on the Supreme Court Bench, amounts to an absolute denial of justice.

Nor is it alone in the legislative and judicial departments of Government, or under their operation, that the evils of our now extensive territory are experienced. Even the Executive is not exempted from the embarrassment of our huge proportions as a State. Sectional and local necessities demand sectional measures and partial legislation, against the approval of which by the Executive the Constitution has erected barriers dangerous to overleap, and which a wise and prudent Governor will never seek to demolish. The beneficial influences of every description of a well-regulated government, emitted from a center remote from the extremities of a State, are weakened and but slightly felt. Nor can the power of the Executive be so speedily or forcibly brought to bear upon the people in case of a foreign invasion or other common danger. The difficulties of intercommunication between the inhabitants of an overgrown territory are so great, also, that it is next to impossible to find that unanimity of

sentiment, or to create that identity of interest which renders popular action consistent and efficacious. The center reaps all the benefits, enjoys all the advantages of government favor, while the extremities are compelled to bear a large proportion of the burden of taxation. All improvements of a public character, colleges, asylums and State buildings of every description, are made at or near the seat of government, and the greatest interest the inhabitants of distant counties can have in them, arises from their sufferings as tax-payers. Their representatives, when despatched to the center for purposes of legislation, consume in mileage the larger part of the revenue of the country, and are placed, to a considerable extent, beyond the reach of their influence in sudden emergencies. To secure and maintain their dearest rights as citizens, they are forced to incur enormous and destructive expense in applying to the source of governmental authority. As the matter now stands, even the poor privilege of supplying officers of State is not allowed them; the populous center, outnumbering the extremities in votes, controls all official patronage. All these objections to the present system are obviated or destroyed by the proposed division of our territory.

There is yet another important consideration immediately connected with the subject of this division.

The Atlantic seaboard, two thousand miles in extent, is composed of fourteen States, which have an aggregate representation in the national councils of twenty-eight Senators; eleven hundred miles of the coast of the Gulf of Mexico, divided between five States, is represented in the United States Senate by ten members; while the entire Pacific shore, on which borders the Territories of Washington and Oregon and the present State of California, fourteen hundred miles in extent, is now represented by only two Senators. The evils of this limited representation have been experienced ever since the admission of our State into the Union, and will increase with the growth of the interests of this coast. California, as now bounded, contains 188,981 square miles; 23,315 square miles more than the area of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware and Pennsylvania; the wants of these States, numberless and often conflicting, are represented in the United States Senate by twenty members of that body, while California, with necessities almost as numerous, important and conflicting, is represented by only two.

The illustration of this disparity of representation from which California suffers, will be perceived by a comparison with any section of the Union. The States of Maryland, Virginia, North Carolina, South Carolina and Georgia, contain only 8,627 square miles of territory more than that within the borders of our State; they have their *ten* United States Senators to our *two*. The varied demands and peculiar requirements of this Pacific commonwealth, need, to obtain them, more votes in the National Legislature. The ablest, purest and most influential representation of but *two* voices, can scarcely exercise a dominant influence in or gain control over a deliberative assemblage of upwards of three-score members. The increase of our Senatorial representation would be beneficial in another point of view; if so unfortunate as to select corrupt men to transact our public business at Washington, of the six Senators to which the three proposed States would be entitled, actuated by different motives, desiring the attainment of different ends, they assuredly could not unite in any improper scheme; some would be a constant check upon the action of the others.

There is but one serious objection to the proposition of division which has occurred to the Committee. It is urged that the prospect of forming new States out of the territory of the State of California, will revive in the Congress of the United States considerations dangerous to the peace of the country and to the Union, and likely to unsettle the great principle by which the question of

slavery is regulated in the new States and Territories. But the people of this State have settled this question for themselves, and their rights of vast importance, disconnected with this subject, justified by apparent necessity, cannot be disregarded. The only part of California in which slave labor could be employed profitably, is in the proposed middle State, where the question is settled by popular sentiment, satisfactorily and forever. Slave labor cannot be employed with profit except where there is constant use for it. The greater portion of the lands in the proposed new States produce only the cereals, which mature in four months, and employ labor only at the seed-time and in the harvest.

But there is a more cogent reason against the existence of slavery in these States than arises from this condition of affairs. It is to be found in the insecurity of tenure of this sort of property, with Mexico on the south and a boundless wilderness on our eastern borders. The Committee do not deem it requisite to dilate further on this slavery issue. The opponents of the peculiar institution in this State have nothing to fear from division. Fanatics from either end of the Union may declaim against the admission of new States into the Confederacy, and talk about the equilibrium of political power between the North and the South in Congress; but that equilibrium is already destroyed, and the stability of the Union depends now entirely upon the good sense and patriotism of the great mass of the American people. In this good sense and patriotism the Committee have an abiding faith.

The Committee have endeavored to demonstrate the propriety of division by exhibiting the capacities and resources of the several portions of our territory, the impracticability of uniform legislation, the difficulty of distributing equal justice, the obstacles to the proper exercise of Executive functions and favors, the impediments to the harmonious action of the people in sudden emergencies, and the indispensableness of a larger representation to obtain our political rights from the General Government. They have stated the only forcible argument which can be urged against the proposition of a division of our territory, and sought to prove its fallaciousness. Relying upon the judgment and discretion of their fellow citizens more than upon their own opinions and discrimination, the Committee now respectfully submit the case.

D. F. DOUGLAS,
GEO. PEN JOHNSTON,
W. C. FERRELL,
JEFFERSON HUNT,
E. J. CURTIS,
E. A. ROWE,
P. L. EDWARDS,
FRANCIS MELLUS,
THOMAS BAKER,
J. J. ARRINGTON,
T. WELLS,
THOS. C. FLOURNOY,
W. W. JONES.

Document No. 26.

IN ASSEMBLY.]

[SESSION 1855.

REPORT OF COMMITTEE
RELATIVE TO THE
CONDITION AND MANAGEMENT
OF THE
STATE PRISON.

B. B. REDDING, STATE PRINTER.

ORDER FOR INVESTIGATION.

IN ASSEMBLY, February 9, 1855.

Mr. STEVENSON offered the following resolution which was adopted:

Resolved, That the State Prison Committee be instructed to visit, immediately, the State Prison, and examine the same and report to this House the number of prisoners confined therein, their condition, and the provisions made for their security. Also, whether the prison buildings are sufficiently secure for nhesafety and protection of the persons therein confined; and, also, to examine particularly into the management and affairs of said institution.

J. M. ANDERSON,
Clerk of Assembly.

REPORT.

ANNUAL REPORT OF THE INSPECTORS OF STATE PRISON.

OFFICE OF THE BOARD OF STATE PRISON INSPECTORS, }
January 30, 1855. }

To the Hon. the Legislature of the State of California:

In obedience to the law creating their office and defining their duties, the undersigned, State Prison Inspectors, respectfully submit the following report:

Since their appointment, the Inspectors have made frequent visits to San Quentin, and have examined into the management, condition and affairs of the State Prison as fully and carefully as their powers and opportunities have enabled them to do. Having no authority to administer oaths, or to require information by compulsory process, they have been obliged to rely upon their own observation, together with such statements as might be volunteered to them by the Lessee and his employees and the questionable declarations of the prisoners themselves.

From the best information, however, which they have been able to obtain from these sources, they find that the whole number of State convicts received up to Nov. 20, 1854,—(the date of the Inspectors' report to the Governor)—was 520, of whom 138 had been discharged on the expiration of their terms of sentence, 38 had been pardoned, 75 had escaped and not been retaken, 1 had died in prison, and 8 had been killed in various attempts at escape—leaving 258 remaining in prison, and 2 unaccounted for.

Since that time, 31 new convicts have been received; 22 escaped in a body from Marin Island on the 27th of December, 4 of those who had previously escaped have been recaptured, and several more have been discharged. Of those who escaped from Marin Island, 8 have been recaptured and 4 killed, leaving 10 still at large; most, if not all, of whom were severely wounded. Six of these were retaken in the month of January, and imprisoned in the County Jail of Santa Clara County, whence, after two or three days incarceration, they effected their escape. In connection with this affair, the Sheriff of that county has made complaints concerning the action of officers of the prison, and charges

of neglect on their part, which, if true, deserve to be noticed by the Legislature.

Of those who have effected their escape, however, it is but justice to the present contractor to state, that 25 are reported to have escaped from Col. John C. Hays, whilst that gentleman was connected with the State Prison and had charge of the convicts.

The document herewith transmitted, marked "A," is a transcript from the register of prisoners kept at the prison by the Superintendent, which was furnished to us by James M. Estell, the Lessee, and purports to exhibit the name, age and description of each prisoner, the date of his entrance, his term of imprisonment, and the offense for which he was sentenced, the county from which he was sent, the State or country in which he was born, and the date of the expiration of his sentence.

Document "B," contains a tabular statement of the number of prisoners received, the number of e-capes exclusive of recaptures, the number of deaths, the age and sex of the convicts, and the number now in prison.

Document "C," purports to be a tabular statement of the places of nativity, and occupations of the prisoners, the counties where they were sentenced, and the crimes of which they were convicted.

Document "D," is a list of the officers, keepers, and guards of the prison.

There are no female convicts now under sentence.

These statistics, the undersigned are satisfied, are in some respects inaccurate, but they have found it quite impossible to arrive at facts which could be relied on with entire certainty.

It will be seen from the foregoing and accompanying statements, that only twelve prisoners are reported to have been killed, whereas, the inspectors are induced to believe, on information derived from other sources and which they deem reliable, that more than double that number have been killed by the officers and guards, in the repeated insurrections, escapes, and attempts at recapture, and their names not reported to the Inspectors, for fear of the trouble and expense of a legal investigation. This we conceive to be a grave matter and one that ought to be inquired into by the Grand Jury of the county. It is unquestionably the duty of those having charge of the convicts to prevent escapes, if possible, at all hazards, and the undersigned do not know of any instance in which a State prisoner has been killed by the guards wantonly or without warrant of law. But in so grave a matter as homicide, though the act be justifiable and lawful in itself, a concealment of it, or a refusal to report the same to the proper officers, gives rise to suspicions of wrong and demands investigation.

Desirous of being able to communicate to the Legislature satisfactory information as to the truth or falsity of certain reports that have been circulated respecting the management of the prison and the safe keeping of the convicts, the Inspectors addressed a circular letter to the County Clerks of the several counties throughout the State, a copy of which, marked "E," is herewith transmitted; but, except in three or four instances, no notice has been taken of their communication.

The Board of Inspectors through their Chairman, also addressed a note to the Controller of State, requesting from that officer a list of State Prisoners as exhibited by the books and papers on file in his office, and by the accounts for mileage that have been presented, and audited by him. His answer, however, has not been received.

In view of the difficulties in the way of obtaining authentic information, we think that a law ought to be passed authorizing the State Prison Inspectors to require from all officers and private persons, such information as they may deem important concerning convicts and the administration of criminal justice. They should also be empowered, we think, to administer oaths and to punish as for

contempt a refusal to answer touching the subject matter committed to their charge.

We also recommended that the office of Inspector be made elective by the people, that its powers be enlarged and that a reasonable compensation be attached thereto. Efficiency in such an office and proper attention to the duties of it, can scarcely be looked for where no salary is allowed, and where even the incident expenses, which are necessarily considerable, have to be borne from the private purses of the officers themselves.

The subject of rewards for the apprehension of escaped convicts, was alluded to by the Inspectors in their first annual report, and is again respectfully called to the attention of the Legislature. By the fourteenth section of the Act of 1851, "to provide for the safe keeping of the State Prison Convicts," the lessee is required to pay all rewards for the capture of escaped prisoners, but, by a most singular provision, he is prohibited from offering a reward of over \$2,500, whilst its minimum is limited only by the smallest denomination of money. Accordingly, the rewards that have been offered for the recapture and delivery of escaped convicts, have been entirely disproportionate to either the difficulty or importance of securing their arrest; and of these no notice by publication has generally been given.

In this matter the lessee has complied with the *letter* of his contract and ought not, perhaps, to be censured for not spending his own money with a liberality greater than the law requires. He doubtless became a party to the contract on speculation and with a view of making money out of it, and not from any philanthropic notions of public service. It is not to be presumed then, that he will consent to any modification of the law in this respect, and we therefore recommend that the Governor or State Prison Inspectors be authorized, in certain cases, to offer rewards for escaped convicts, payable out of the State Treasury.

Of late, the number and frequency of escapes have been so great as to challenge public attention, and have given rise to popular clamor and complaint. Accordingly on the twentieth day of October last, a letter from his Excellency the Governor was directed to us through the columns of the State Journal, asking for a more thorough examination and an early report, a copy of which letter is herewith submitted, marked "F." Pursuant to these instructions and those of the law, the undersigned have made diligent inquiry into the causes of the numerous escapes which have occurred, and they are forced to attribute them chiefly to the system which prevails of working the prisoners in large gangs, outside of the Prison and at a distance from the Prison Grounds. The stampede of December 27, was effected from Marin Island a place distant from the Prison two or three miles, where a large number of the convicts were engaged in quarrying stone, one of the revolts of last year in which some of the guards were killed and several of the prisoners escaped, took place at the Redwoods near Corte Madera, whither they had been sent for wood; and nearly every escape which has been reported to the undersigned, has happened when prisoners were away from the Prison Grounds. The lessee claims the right under his contract with the State, to work the convicts wherever and at whatever business or labor he may find most profitable, and in support of this position he quotes the opinion of the late Attorney General. If he really have the right which he claims, but which the Inspectors do not acknowledge, then the lessee can send State Prisoners in the capacity of clerks or servants to San Francisco, Sacramento or Placerville. And such has really been the case in at least one instance which has come to our knowledge where a convict was sent to San Francisco

to wait upon an officer of the Prison, whence he effected his escape and is now at large. This case was reported to us by the lessee.

A portion of the prisoners denominated "trusties" and who have been distinguished for good behavior, are frequently sent on errands or expeditions of confidence, either alone or in company with a guard.

The undersigned are of the opinion that the practice of working the prisoners in different places without sufficient guards to insure safety against the possibility of escape, is wrong and ought not to be tolerated, but they have found themselves powerless in the premises to remedy the existing evils, and can only report such facts as may come to their knowledge—for the consideration of the Legislature.

The provision of law relied on in favor of this right as contended for by the contractor, is contained in the 7th Section of the act above referred to, which provides that "said Act shall not be so construed as to confine the labor of the prisoners *within the limits of said prison*, or to any particular place or labor," whilst the whole tenor of the Act seems to contemplate the confining of the prisoners *within the limits of the prison grounds*.

If, however, the State has been unwise enough to make a contract for ten years, for the keeping of the convicts, which affords no adequate security, and if the lessee has the right as claimed by him to remove the inmates, at will, from the prison and prison grounds, it will certainly be prudent to purchase a modification or entire canceling of such a contract as cheaply and quickly as possible.

The prison itself is of massive material and substantially built, and with the addition of a wall of suitable dimensions, and with proper diligence on the part of the keepers, it might afford ample security against the escape of prisoners. Its upper story is divided into cells of convenient size, the lower part being mainly in one room. This, at a comparatively small expense, might be made into a large number of strong and secure cells, thus increasing, by one half, the cell capacity of the prison without the erection of another building.

The undersigned are of the opinion that the great object of penitentiary punishment—the safe-keeping of the convict—will hardly be secured, at present, without a wall enclosing the prison grounds and invariable confinement of the prisoners *within* the same. How this is to be built, if built at all, it is for the Legislature to determine. But, should it be done at the cost of the State, and should an appropriation be made for that purpose, we recommend either that the existing contract be terminated upon such terms as may be just, or that the lessee be required to relinquish his claims to the right of removing the prisoners beyond the prison grounds. If the wall will only serve to *shut out* the prisoners, instead of being as it ought to be, an impassable barrier between them and society, then its construction would be useless and extravagant.

Among the convicts now under sentence, there are a few daring and intelligent criminals, but generally they are ignorant, stupid and submissive. No record is kept showing what proportion of the prisoners are educated, but the majority of those whom we interrogated we found could neither read nor write, and by far the larger proportion of the prisoners are addicted to intemperance.

And in this connection the undersigned ask leave to state as a conclusion arrived at after careful inquiry on their part, that a vast proportion of the higher crimes which have been committed in this State, have been perpetrated under the excitement of spirituous liquors or the frenzy of intoxication. This fact is one of sufficient significance, and merits the attentive consideration of the Legislature.

The inspectors are of the opinion that there ought to be more careful graduation in the scale of punishments. By the existing law the larceny of \$50 is punishable by death, while the higher crime of arson is punished with imprisonment not to ex-

ceed two years, and many crimes and offenses of considerable magnitude are not cognizable by our courts.

We recommend that the criminal laws be carefully revised, that the jury system be remodeled so as to secure, if possible, some honesty in the mode of empaneling and selecting juries, and that the rule of evidence be so changed as to insure a more just and certain administration of penal statutes.

We also recommend that the punishment for murder be made alterative, in the discretion of the jury—either death or imprisonment in the State Prison for life. The inspectors are induced to this recommendation from a conviction of its necessity as a remedial experiment, and not from any desire on their part to shield from merited punishment the man who, by the commission of the most atrocious crime, has forfeited the right to live. But we find, on careful examination, that of the several hundred murders that have been committed in this State, since the *de facto* organization of its government, only a dozen or so of the murderers have been convicted and executed, and we are compelled to attribute this impunity of crime, in a great degree, to the general reluctance on the part of our people legally to enforce capital punishment, and which frequently leads juries, after solemn and pains-taking deliberation, to disagree on their verdict, or to acquit the accused on the slightest pretext of justification, or the most remote possibility of innocence or insanity, rather than render a verdict of conviction when the penalty is death.

It is the certainty of punishment, we respectfully submit, and not its severity, that gives force and efficiency to penal laws. In order to act as a salutary restraint upon crime by the example of its punishment, the penalty must follow the perpetration of the crime promptly and with the invariable relation of cause and effect.

The plea of insanity is practically one of the most fruitful sources of abuse that exists in the practice of our courts. How this evil is to be corrected, it is perhaps difficult to understand; but the law certainly ought, if possible, to be so modified, that the proof, merely of some violent or incoherent expressions should not be held sufficient to justify acquittal in capital cases. To be recognized as a bar to the most rigid penalties, it should be no less than that clear and unmistakeable madness which obliterates from the mind the knowledge of right and wrong, and annihilates the power of the will; and, even in that case, we think that the State ought to protect its citizens against the consequences of this vicious insanity, or the recurrence of it, by perpetual confinement in a prison for lunatics.

It appears to be a perversion of justice and of law to permit the culprit, who, for some fancied insult, has murdered his fellow, to come into court and defend the act on the plea of insanity, and to be discharged, again, perhaps, under a fresh attack of his infirmity, to maim and murder others.

It has been customary for Sheriffs, in transporting convicts under sentence, to deliver them to the lessee of the prison or his agent, in San Francisco, taking his receipt therefor. This method of proceeding, we think, should be prohibited, and Sheriffs should be required by law, in all cases, to deliver the convicts to the Superintendent, at the prison grounds, and to report the same forthwith to the Inspectors at their office in San Francisco.

The Superintendent should also be required to report all escapes, within twelve hours after their occurrence, at the office of the Inspectors, together with the circumstances of their escape and a careful description of the persons of the fugitives, and to advertise the same in some newspaper published in San Francisco, with the reward offered by the lessee for their apprehension.

The State Prison of California, as it now exists, is no paradise for scoundrels. It

is a real *penitentiary*—a place of suffering and expiation. Of work there is abundance, with privations and corporal punishment: So far, it is well. So far, perhaps, it is what a State Prison ought to be. But its discipline is not salutary, nor its punishment corrective. The system that prevails of unrestricted intercourse among the convicts, is essentially vicious and corrupting; but, so long as the contract system continues, the first object of prison discipline will be to obtain the maximum of labor with the minimum of cost, whilst but little attention will be given to the far more important object—so far as society is concerned—the reformation of the convict.

All of which is respectfully submitted.

HORACE W. CARPENTIER,
JAMES MILLER,
RICHARD N. SNOWDEN.

Inspectors of State Prison.

REPORT OF GRAND JURY OF MARIN COUNTY.

To the Hon. the Court of Sessions of Marin County :

We, the undersigned, Grand Jurors, duly empanelled and sworn at the regular February Term of said Court, A. D. 1855, respectfully represent :

That the State Prison of the State of California has, without our consent or approbation, been located in our midst, and at the time it was so located in Marin county the citizens of said county were assured that there would not be more than fifty convicts at any one time confined in said prison, and that as a guarantee for their safety the State would provide such means for their confinement as would effectually prevent their escape.

But to our surprise, astonishment, and indignation, and alarm, we find, from actual observation, that the arrivals of convicts at said prison per month, is not less than from twenty to thirty, while the departures, or those whose term of sentence expires, not more than seven or eight. Our situation, then, as a peaceable and quiet community, when we take into consideration their constantly increasing numbers, their chances of escape, the inefficient guard for their security, and their characters for villainy and atrociousness is truly alarming, when, in less than three years, we find ourselves in the immediate vicinity, and surrounded, as it were, by the most desperate, dangerous, infamous and abandoned body of convicts ever congregated together, with nothing but an inefficient guard to protect our citizens from their violence and from such dangers as is of daily occurrence.

The undersigned grand jurors would call to the attention of our Senators and Representatives another fact, not less important to those interested in our welfare—that is, that the Lessee or Superintendent has heretofore, and is now in the habit of working said prisoners in any portion of said county he may think proper, which the undersigned conceive could never have been the object and intention of the Legislature which enacted the law concerning said prison. Nor could the undersigned believe it was ever the object and intention of the Legislature, by such a law and by such means, to bring the labor of a class of desperadoes and villains who have been consigned by the laws of the land, for its infractions, to infamy and disgrace, in conflict with the labor and interest of the poor laboring, but respectable and law-abiding class of the community—that these privileges, which are now constantly exercised by said Lessee, taken in connection with the chances and probabilities of having at any time such a number of villains and desperadoes turned loose upon the community, deters emigration to said county and prevents hundreds and thousands of good citizens from making it their permanent home. We, therefore, respectfully call upon our Senators and Representatives, as well as upon all those from other portions of the State who compose the Senate and Assembly of our State, imploring them, for the safety of our property and the protection of our wives and families, that said contract with said Lessee may be annulled, or that

said State may in some way take charge of her own institution and assume the entire control over the same, or that said Lessee be compelled to build, immediately, good and substantial walls around said prison, and safe and secure cells for said convicts, that the citizens of Marin County may not be in hourly dread of their lives and property, and their wives and families from assault and violation.

TREAT F. PECK, Foreman.

S. S. WHEELER,

C. WHITE,

S. L. BLAKE,

R. H. HARVEY,

ALEX. McCUNE,

C. L. SMITH,

JOHN GROVER,

DAVID MARKEA,

EWD. J. REJAN,

H. W. DICKENSON,

J. D. HORSELER,

GILBERT R. BRUSH,

J. S. FOWLER,

PETER GARDNER,

J. O. B. SHORT,

Members of the Grand Jury of Marin County.

T. M. FOLEY'S LETTER.

CORTE MADERA STATE PRISON, }
 July 6th, 1854. }

JUDGE HEYDENFELDT,

SIR :

I deem it the most essential part of my duty to indite a few lines, in order, if possible, to express my gratitude for the feeling interest you have manifested in me. But words have not coloring sufficient to paint the grateful emotion of the heart towards one whose kindly acts were elicited by the pure impulse of christian feeling and charity. It is only now, when I contrast my situation with others, that I can fully comprehend and appreciate the value of your influence with Gen. Estill. The civility with which I was treated, the indulgence conferred upon me, and above all the great trust placed upon your honor, renders my obligations towards you and the General, a hundred fold more obvious ; and it shall be my continued prayer to God, that no action of mine will subject me to become the vassal of misplaced confidence.

It would be utterly useless for me to attempt to describe the kindness and humanity showed me by the generous Gen. Estill. His reception of me was one of which I can never forget, and which a whole life of servitude would be inadequate to repay. He was on shore when my commitment was presented him, and desiring me to wait for him at the office, he there addressed me with all the feeling of a parent. He accepted my pledge of honor, and placed no restrictions on my liberty, and gave orders that I should live at his hotel, outside the guards, and receive the same fare, after the officers, in the dining room. He also placed upon me the injunction that his liberality towards me should be avoided in my communication with friends, lest such indulgence should subject him to the censure of the community. What blessings are conferred upon the unfortunates, whose luckless fate consigns them to the discipline of a State Prison,—to be placed under the benevolent guardianship of such a humane gentleman as Gen. Estill. He is always alive to every feeling of sympathy and consideration towards those who are placed under his charge; and it is only to be regretted that there are so many whose depraved natures are ever ready to take advantage of any indulgence which he offers, and thereby involve him in difficulty. The Superintendent, Mr. Tice, seems to be a perfect gentleman; and Mr. Gray, Capt. Brouder and Lieut. Hays, are declared to be without parallel; in fact, they seem to be every thing that is desirable in officers.

You may easily infer that the change from County Jail to the blessing I now possess, is decidedly congenial, and has been the means of alleviating in a great degree, the oppression which bore so heavily on me. I shall therefore with all patience and humility, and a continual feeling of gratitude, abide the compassionate consideration of the Governor.

I shall keep a journal of events while in prison—the reminiscences may prove beneficial in after life.

And now, all that is necessary to "*cap the climax*" of my comfort, is a few plugs of common tobacco. I should regard the arrival of such a luxury as an indescribable favor, and should your kindness sanction this request, please address the package direct to Mr. Tice, Superintendent of State Prison, as there are almost daily arrivals of boats from San Francisco.

I remain, kind sir,
Your very devoted, humble servant,

THOS. McFARLAND FOLEY.

To Judge ELCAN HEYDENFELDT, San Francisco.

J. M. ESTILL'S LETTER.

SAN FRANCISCO, August 22d, 1853.

WM. ROACH Esq.,
Sheriff of Monterey.

SIR :

I am informed by John McDougal and others, that effects belonging to a State prisoner, Wm. H. Hawkins, are left in your possession. Capt. Thompson, Superintendent of the Prison, also informed me that the Deputy Sheriff of your county gave him the same information. The law makes it my duty to take in charge all the effects belonging to all State Prisoners, holding it subject to the action of the State Prison Inspectors. They also require of me a bond, with security in the sum of one hundred thousand dollars, to perform this duty faithfully.

The prisoner gave me an order for them for fear there might be some mistake concerning it.

I called on Wells, Fargo & Co., and Adams & Co., and had the drafts cancelled yesterday, at the request of the prisoner, and by order of the State Inspectors.

I am happy to hear that you had sent word to me by the Deputy, that the effects are subject to my order, but I regret that they were not sent along with him.

Please deliver all the articles in your possession belonging to the prisoner, to Capt. Hunt, who will deliver them to me without compelling me to make the trip myself.

I am truly yours,

J. M. ESTILL,

Lessee State Prison, California.

W. H. HAWKINS' LETTER.

CALIFORNIA STATE PRISON, }
August 20th, 1853. }

MR. ROACH,
Sheriff of Monterey County, Cal.

SIR :

Please deliver to J. M. Estill, Lessee of the State Prison of California, or order, a draft for three hundred dollars, drawn by Adams & Co., in favor of William Hamilton, payable in New York. Also, one draft drawn by Adams & Co., for six hundred dollars, in favor of William Hamilton. Also, one draft drawn by Wells, Fargo & Co., for one thousand dollars, in favor of William Hamilton. Also, one draft drawn by Wells, Fargo & Co., for one thousand one hundred dollars, in favor of William H. Hamilton, there being a duplicate of each draft. Also, about three hundred and thirty dollars in coin. Also, one hundred dollars worth of specimens. Also, one carpet bag, containing three shirts, one pair plaid pants, one gray cloth vest, one pair of shoes and small revolver; being all, and singular, the property taken from me when I was arrested in Monterey.

WILLIAM HAMILTON HAWKINS.

Attest: J. N. THOMPSON,
Capt. Guard, California State Prison.

MONTEREY, September 8th, 1853.

Received of William Roach, Sheriff of Monterey, a part bag of Placer specimens, and specimen pins, a love song, bead purse and small bottle of Otto of Roses, with a few one dollar gold pieces; also, a counterfeit five dollar California piece, etc., etc.

JAMES M. HUNT,

TESTIMONY OF THOS. K. MONK.

Thos. K. Monk, sworn :

I reside in Monterey ; I was Under-Sheriff of Monterey at the time Hawkins, a convict, who had escaped from the State Prison, was arrested at that place ; he was placed in my charge as Sheriff ; I stripped him, and found a large quantity of small gold coin—some two or three hundred dollars' worth, and a large quantity of gold specimens—some two or three hundred dollars' worth, and from six to eight thousand dollars in drafts (first of exchange,) some on Adams & Co. and some on Wells, Fargo & Co. ; they were made payable in New York, to his own order ; I also found upon him various other articles of value, such as specimen breast-pins, lockets, &c. ; Capt. Hunt, of the Major Tompkins, came to Monterey and brought some kind of written authority from General Estill or the Superintendent of the State Prison, or some one in charge, to get the money, drafts and other articles taken from Hawkins ; I handed all these articles to Capt. Hunt to take to General Estill, and took his receipt for them ; I filed away the receipt and letter or written authority, in the Sheriff's office of Monterey ; so I think they are there yet ; they were there when I left Monterey ; I have been away since December last. At the time Hawkins was brought back to prison, a man by the name of Reynolds was deputed to bring him, and did so ; it was the next trip of the steamer Tompkins (about a week after), that Capt. Hunt brought the written authority to get the money, &c. ; I had given them to William Roach, the Sheriff ; he took them out to his house, and I sent for them, when the written authority came, and they were sent ; and I handed everything over to Capt. Hunt. The money and jewelry were in leathern bags ; I did not then count the money, but it appeared to be all right ; I have no doubt but the bags and drafts and everything remained when I handed them to Capt. Hunt just as they were when I took them from Hawkins. Hawkins was a black fellow ; at the time Hawkins was sent up by Reynolds, I saw him on board, and ironed him myself ; I sent a letter at the same time, by mail, directed to General Estill ; I mentioned to him in the letter that we had the articles taken from Hawkins ; I also stated to him that many of the escaped convicts might be taken if he would post men at San Miguel ; he wrote to Sheriff Roach an insolent letter in reference to my letter ; I felt hurt in my feelings by General Estill's letter ; I had intended nothing more than to render such aid or give such advice in reference to the capture of the criminals or escaped convicts as my duty as a public officer required me to do ; and I thought he treated it contemptuously. I took a bowie-knife from Hawkins, which I accidentally omitted to send ; it was of no great value ; I have it at my house in Monterey now, and I am ready to give it up to the proper authorities at any time. The letter written by General Estill to Mr. Roach was written about the time that Estill ought to have received the money, jewelry, &c., sent up by Capt. Hunt ; but whether he had received them or not, at that time, I

do not remember from the tenor of his letter ; I think, however, he said something in the letter about the bowie-knife, but I do not remember of his writing to Roach anything about the money and drafts.

THOS. K. MONK.

Subscribed and sworn to, before me, }
this 28th day of Feb., 1855. }

B. C. WHITING,

Chairman of the Select Com.

TESTIMONY OF JUANA CARILLO.

Juana Carillo being sworn, makes oath and states, through her interpreter, Thomas E. Evershed, who has been sworn as interpreter :

I had a son, by the name of Fermin Cruz, in the State Prison ; he was put in prison from two to three years ago. I paid General Estill money to procure the pardon of my son ; I have a paper which shows the amount, which reads as follows (it being shown to the Committee) : “ Reed. of J. Carrio one hundred and ninety-five dollars 50-100, which is subject to her order at any time ; said money is left with me to pay attorney’s fees for her son, which is subject to her draft.—J. M. Estill.” The money was never returned to me ; my son was got out about nine months ago ; my son has gone to the mines ; he was sentenced for three years, and had about one year to serve when he was got out ; I first saw my son, after he got out, at my house in San Francisco ; I reside in the direction of North Beach ; there was no one with him when he came home about dusk ; he remained here for some time, being employed at playing the harp, and then went to San Jose, came back and went to mines, about fifteen days ago or more. I have talked with no lawyer with regard to the pardon of my son, except Gen. Estill ; I never spoke with any one but Gen. Estill about the pardon ; I conversed with Estill, through an interpreter, who I have not seen since ; I did not know him ; I paid the money at the prison ; there were two persons present at the time, the interpreter and a man of the prison, besides General Estill ; General Estill wrote the receipt here exhibited ; I have never seen the interpreter since I met him over there ; I saw books in the room in which I paid the money ; I took no notice of these things particularly, but saw books in the room ; I was crying and in great distress at the time ; I paid to Gen. Estill, in his own hands, \$200, less four dollars and fifty cents, which he put in his pocket ; (Gen. Estill entering the room) she says she thinks him to be the man. She knows a woman by the name of Trinidad who had a brother in prison at the same time her son was, but did not know the name of the brother ; I do not

know whether Trinidad ever paid any money to Gen. Estill for the pardon of her brother ; I went alone in the boat to the State Prison : I recognize Gen. Estill.

Cross-examined by Gen. Estill :

I went to prison several times ; I have remained there as long as four or five days at a time ; there were Mexican women went over in the boat with me, at one time, and remained there about, or over, one day ; when I went alone, I stayed more days ; my son had no paper showing that he had left the prison ; it was somewhere in the neighborhood of 3 or 2 months after I paid the money until he got out ; after I paid the money I went over to the prison two or three times ; after I paid the money, it was about one month before I went over to the prison again ; I do not remember how soon I went again ; there was a person writing at the prison when I paid the money to Gen. Estill, but I do not know whether he belonged to the prison or not ; there was an interpreter present ; I was not informed that I would have to employ an attorney. The Mexican women who went with me over there, were going to see the Mexican women that were in prison ; I know them by name, but they are not here now. I know Capt. Thompson ; I saw him at the prison the day I paid the money, but I don't remember, and don't think he was present when the money was paid.

Her
JUANA † CORRLLO.
mark.

Sworn and subscribed, before me, }
this 27th day of Feb., 1855, }

JNO. T. CRENSHAW,
Chairman.

TESTIMONY OF HENRY BAKER.

Mr. Henry Baker being sworn, makes oath and states :

I live in San Francisco ; I never lived at the prison ; I was Secretary of San Francisco Manufacturing Company from 1st of July to 1st of August, 1853. About the latter part 1853 or first part of 1854, Estill asked me to act as interpreter for him ; a Mexican woman wished to get a pardon for her brother, who was then in the State Prison ; Estill told her that he would return the money he had received from her, for he had been unable to get a pardon for the brother ; Estill then handed me about \$200, and asked me to pay it over to her, which he said he had received from her in order to obtain a pardon for her brother ; he said that Gen. Denver was to procure the pardon for her brother. I have not heard Mr. Estill make any pledges to that woman in relation to getting a pardon for her brother ; but she stated to me, but not when he was present, that he had promised several times to have a pardon ready for her at a given day. I understood from Gen. Estill that the money furnished the Mexican woman was to be paid over to Gen. Denver for expenses of procuring a pardon ; Gen. Estill did not intimate to me that Denver was cognizant of this money having been paid to Gen. Estill. Another Mexican woman started for Corte Madera, who had \$150 or \$170—who was going to the prison to get a pardon for her son ; I only know this from the boatman and the woman herself. The boatman was arrested on the wharf, accused of stealing money from the woman ; I don't know that Gen. Estill claimed that money, except from hearsay ; she said she had paid this money to Gen. Estill for the purpose of procuring a pardon for her son, and that he had promised that a pardon should be obtained for her by a given day. After the money had been returned to the first Mexican woman, the last one was often sitting at the office-door, waiting for Gen. Estill.

Mr. Baker further says : That he, in company with Young, met Brown, a convict, on Montgomery street, on Gen. Estill's horse ; I did not then know him, but Young pointed him out to me as a convict ; we stopped him, and had some conversation with him ; it was some time last fall, September or October ; he said he was trying to get signatures for a pardon, and asked Mr. Young if he would sign it ; he said he had Estill's consent to come to town and get signatures to his petition ; I never heard Estill allude to it.

HENRY BAKER.

TESTIMONY OF WM. H. WHITE.

Wm. H. White sworn, says :

I now reside at San Leandro ; I was employed at the prison as a guard, from November, 1852, to March, 1854 ; I believe there were four female convicts when I went there, and five afterwards, for awhile ; two went away while I was there ; they were on the prison-brig until May, 1853, and then were removed to what was called the Overseer's house ; it was the middle house ; John H. Gray, first of the guard, slept in the same house ; he slept in the same room and same bed with Dolores Martinez, a Mexican woman ; she was put in for manslaughter ; there were one or two male convicts who assisted the female convicts in their washing ; those convicts were inside of the house a part of the time with the females, and out of sight of any of the guard, and had sufficient opportunity for intimaey, if they had felt disposed ; on Sunday, the husbands of two of the women had free access to them, all day, but not at night ; they, too, were convicts ; I have seen Gray in bed with Dolores ; Capt. Thompson appeared to be familiar with Scotch Mary ; he used to be there frequently at night ; on one occasion, I think he staid until daylight ; I never saw him in bed with her, but it was well understood by all the guard that he had free sexual intercourse with her ; I have seen convicts labor on the Sabbath day, frequently ; the guard and overseers complained bitterly about working on Sunday ; they never got any extra pay for working Sunday, that I know of ; I never knew of the prisoners being paid for working on Sunday. Hawkins, "Jimmy the Whaler," and one other prisoner, escaped through carelessness ; they escaped from a wood schooner in a small boat ; there was no guard any where near them ; there was an overseer with them, but he did not miss them until they were out of reach of a pistol shot. The middle house (so called) was built when I first went there, or was standing ; the females stayed on the brig until the following May ; Mrs. Hall was discharged from the brig before the other women were removed to the overseer's house.

WM. H. WHITE.

Subscribed and sworn to, before me, }
this 28th day of Feb., 1855. }

TESTIMONY OF JAMES H. ROBINSON.

James H. Robinson, sworn :

I was employed at the prison as a practical mechanic under Mr. Gara. I was there about one year and seven months; I was also employed by the San Francisco Manufacturing Company about five months in San Francisco; I never saw anything wrong in the management of the prisoners—I saw three female convicts; they were kept entirely apart from the men, in the cabin of the brig. I have been over there perhaps fifty times since they were removed from the brig; they lived in the middle house; I have never seen any familiarities between the guard and the female convicts.

J. H. ROBINSON.

Subscribed and sworn to before me, }
this 2d day of March, 1855. }

B. C. WHITING,

Chairman of Select Committee.

TESTIMONY OF JASPER BABCOCK.

Jasper Babcock on oath deposes and says that he has been largely concerned in contracting, in San Francisco:—

I think that the labor of convicts may be worth the average of mechanics among them, \$1.00 per day. With a contract on the State Prison, I should consider it a very good contract indeed, to allow \$1 a day, and pay all expenses. I should consider it at that, (considering the proportion of mechanics) a first rate arrangement for the contractor, or the State if the State did it herself. Before coming here I was a large contractor on the canals in New York; I have examined the stone at or near the Prison; I consider that stone better as

a quantity than any I have seen in this State; much better for building or for a Russ pavement than the Monterey granite now used in San Francisco—or for building a State Prison. I think the brick from the State Prison a better article than any in the market.

JASPER BABCOCK.

Sworn and subscribed to }
February 1st, 1855. }

ASA KINNEY.

TESTIMONY OF THOMAS YOUNG.

I reside in Mariposa; was an engineer of the State Prison from the fall of 1851, until 22d of March, 1854. During that time the prisoners were very irregularly fed; at first they were well fed, but afterwards were very irregularly fed. One prisoner, a Spaniard, was punished very severely by whipping—so he could not work for several weeks or months, and it was thought for a time that he would not get well; he was punished for an attempt to break away. There were prisoners escaped, and it was the general opinion that they could have been prevented from escaping. A negro, (Bill Hawkins) escaped from the cook house (being employed as cook) on Sunday, while they were marching other prisoners from dinner; the guard went along with prisoners; Hawkins escaped during their absence; he had escaped twice before; he had been employed as cook about a week or two; I think he had a chain on when he left; he was kept in double chains a few days after he was brought back and whipped but not severely; I heard he was in Philadelphia; there was much preference shown among the prisoners; I have known prisoners to go to cut wood a mile from the prison, with guards generally, but have known some who had but two or three months to stay in prison, go without guards; I have known prisoners who had to serve two years to go as far as San Rafael and Corte Madera, four or five miles on horseback, on errands; when I left on the 22d of March, 1854, there were but about 18 guards; there were 260 prisoners, or about that; I have known prisoners to go about a mile from prison and work on gardens for the Company, without a guard. In the fall of 1853 some of the guards (one by the name of Byrne) squatted on some land seven miles from prison, and took some four or five prisoners out to assist them to build their cabin; I met them on the way, with axes, three miles from the prison; there was but one guard with them, and I think they remained all night; they sent their schooners to San Francisco manned by convicts, without guards, and on one occasion two escaped in San Francisco; they generally stayed all night in San Francisco; I have met one convict on Montgomery street, in the city, without guard, (his

name was Joe. Francis, an English boy; he was sentenced for carrying false keys to open the County Jail; I have heard that he escaped on the 6th of May; I think it was in the fall or winter of 1853 that I saw him on the street; I think there was another convict with him; I saw them again in the prison; I have seen convicts go out in a small boat to kill seals, around the point, towards San Rafael, sometimes with and sometimes without guard; sometimes they went around towards San Rafael after beef, without guard; they used to hunt seals at the island where they are now quarrying stone. A convict by the name of Howard, convicted for 5 years, had been in prison one year, pretending to be sick was allowed to remain up stairs in the boarding house, and escaped that night in a small boat, and came to San Francisco; I afterwards saw him in the city and took him back; the company refused to pay the passage of the convict which I had paid,—either two or three dollars.

Mr. Young recalled.

Some of the guards were very good guards, and others not; Mr. Gray, Lieut. of guard, was drunk about two-thirds of his time; so drunk, frequently he could not walk; he is now Lieut. of guard at Marin Island; I have seen others of the guard drunk; there was one time after Estill came there, that a good many of the guard were in the habit of getting drunk; Wm. Byrne frequently got on a spree; there was a bar kept at the cook house or dining house by a Mr. Wood; Wood was a member of the guard inside; I have seen Wood give convicts liquor, and have seen convicts give each other liquor, and get drunk on it; two of the convicts on New Years day got to fighting while drunk, and one bit the other's nose off; this bar was kept while the new prison was building; I have known Lieut. Gray to sleep in the same room with female convicts; a female convict named Dolores, and Gray occupied the same bed; I have seen them both in the same bed but not at the same time; in the same building there was another room with two beds; there were three female convicts; I have seen Mary Ann Wilson lying in Gray's bed; in the absence of Wood he employed a convict to keep bar for him; it was generally understood that Gray slept with one of the female convicts, (Dolores, a Mexican.) I have heard Estill talk about the intimacy of Gray with this woman—he seemed to know all about it. Capt. Thompson, Captain of the guard, was frequently drunk, and used to visit the rooms of the females day and night; his sleeping apartment was on the brig; I have seen him between 10 and 11 o'clock at night at the female convict's room; Capt. Thompson had at one time entire control of the prison, in the absence of Estill; Mary Ann Wilson, a convict, was generally called Capt. Thompson's woman. I have known "Trusties" who have been sentenced for ten years; one was called Bill Watkins; the "Trusties" did not generally sleep in the brig or prison building, but slept up stairs in the cook house; I have seen convicts sent out to recover escaped convicts; I have seen them a mile from prison hunting convicts; Nicholson escaped Feb. 3d, 1854, while working on a pre-emption claim on the hill above prison; there were no guards with him at the time; he was a four years convict; a convict by the name of George Gann was acting as clerk in the prison after Estill came there, and I was told that Gann wrote a pardon for five prisoners, three by the name of Dewings, Holmes and Davis; there time was within a few days of being expired; I have no ill feeling against Estill; I have sued the Company and got judgment against them for my wages while there; Estill defended the case; I see by examining the Governor's message that three Dem-

mings which I suppose to mean Denings and Davis, were pardoned by the Governor. I saw a convict by the name of Brown in Montgomery street, in September or October last, he told me that Estill had permitted him to come to San Francisco to get a petition for his pardon; he was riding Estill's horse; he while here committed forgery, and was committed anew to State Prison as I was informed; I saw him a few days after in the Recorder's Court; He asked me to sign his petition.

THOMAS YOUNG.

Subscribed and sworn to before me, }
February 26th, 1855. }

DEPOSITION OF HENRY HAYES.

Feb. 26th, 1855—State Prison Committee convened.

Henry Hayes being sworn, says:

I reside in San Francisco; I was employed as guard at the State Prison from the 25th of November, 1852, until the 3d or 4th of November, 1854, and I have frequently been at the prison ever since—about every week; when I first went there, I think there were eighty-seven prisoners; there were then ten men employed as guard, besides the captain of the guard; sometime in August last, Thomas Ashton and Col. Harper, both prisoners, were given arms and sent out on guard or on “the look out,” as they call it; there was also a boy by the name of Foley placed on guard; he escaped while watching to keep hogs off the soft brick; prisoners who had but a short time to stay were frequently sent off to look up stock. Burns, one of the guard, and some others, had pre-emption claims in the neighborhood of Corte Madera, and they were in a habit of taking prisoners over to work on the claims; these claims were from two to four miles from the prison; I have seen prisoners here in the city occasionally who had come over as cooks or sailors; it was generally when they had but a short time to stay; four was the largest number of convicts that I ever knew to come at once on any one vessel; that was in a small boat, sent to the city after powder; they had one guard with them; they were not chained.

Q. Have you ever known any money to be paid by convicts, or their friends to General Estill, or any one else connected with the prison as guard, Superintendent or Lessee, in consideration that prisoners, or any prisoner, should be allowed to escape?

Wit. That is something that I should decline answering. I do not know, of my own personal knowledge. I did not see any money paid or handed to any one for any such purpose.

A Mr. Harris, prisoner, was cook on board the boat called “Pike County;” came

to this city and went on shore, and I understand he stayed over night with his wife ; he was called a "trusty," he came one trip to the city, when he did not return ; I have never seen him since ; was received in the prison Feb., 1854, and escaped Sept. 28, 1854 ; the prisoners do not generally work on Sunday ; but sometimes they do work that is necessary to be done ; I have never known them to make brick or quarry stone on Sunday, they sometimes load boats with brick or stone on Sunday, and I believe while they were building the prison they did work in the quarry some on Sunday, and sometimes when the brick wanted turning over to dry, they would sometimes do it on Sunday ; the prisoners exercise their own pleasure about bathing ; they are not required to bathe unless they choose ; they generally change their clothes or shirts every week ; the sick are generally well taken care of. There are only two guard on duty at a time in the night, one on the balcony, and one on top of the prison building ; no lights on the outside in the night ; when I was there, the guard were paid \$75 per month ; it has been reduced since ; now they pay \$50 and \$60 per month ; that is since last July. Three prisoners escaped at one time from the long room in the lower part of the prison ; they pried the bars or grates one side, and escaped through the window ; at another time three escaped through the top of the roof, they had an auger, and bored through the plank. Mr. Gates, a convict, is permitted to sleep at the cook-house, and one Chinaman ; there is one of the guard sleeps there, but he does not stay up all night ; General Gates is universally admitted to be a trusty convict. The general opinion of the guard is, that General Estill is not too cruel to convicts, but that he is too lenient with them.

HENRY HAYES.

Subscribed and sworn to, this }
26th day of Feb., 1855, }

JNO. T. CRENSHAW,

Chairman.

DEPOSITION OF B. R. BUCKELEW.

B. R. Buckelew sworn, says :

I reside in Marin County ; I sold the site where the prison is built to the State ; in 1853 and in part of 1854, I was at the prison very frequently ; I have always thought the State Prison discipline was very loose and imperfect ; about one half of the guard were drinking men ; I have seen prisoners in the drinking-houses, frequently ; Parker & Williams had one of the drinking-houses, and the other was under General Estill's control ; there was another kept in a house that belonged to me ; I erected the house for a place to board hands while building the wharf ; that was the wharf I was bound to the State to build under the contract ; I have seen Capt. Thompson go up to the bar and drink, and ask prisoners to drink at or about the same time ; I have seen Mr. Gray drink, and treat a half-a-dozen or a dozen at the same time, and most of them were prisoners ; they called them trusties ; they were running about all over the country ; I have seen them pass my house and go to San Rafael and Corte Madera, on foot and on horseback, and sometimes in wagons ; I have seen a dozen or more prisoners fishing in the bay at once ; they generally had one or two guards with them—never more than two ; they were fishing with seines ; they were twenty-five convicts, with axes, cutting wood on my premises at one time, as I was informed ; I saw them take the wood away ; I got out an injunction to restrain them from cutting wood ; General Estill, his father-in-law, Mr. Wood, and several others were made defendants ; Mr. Gray was one of the defendants. I have expended about ten thousand dollars in building the wharf, and it will cost about five thousand dollars to finish it ; I should have completed it before this, but for the persecutions of General Estill, and Gray and others ; they set the prisoners at work cutting my timber, and the guard were squatting upon my land, and I concluded the completion of the wharf would benefit Estill more than it would the State or myself. I have frequently seen convicts over here in the city ; they would come over with brick and stone, and frequently came on shore without a guard ; I have seen one prisoner, that was a waiter or servant about Estill's office, in the city. I have had some business transactions with General Estill ; I have sued the company, and have suits now pending against them. I dislike Estill very much, and believe him to be a dishonest man ; I have not been about the prison much for a year past.

B. R. BUCKELEW.

Sworn and subscribed before me, this {
26th day of Feb., 1855. }

JOHN T. CRENSHAW,

Chairman.

TESTIMONY OF THOMAS D. JOHNS.

Thomas D. Johns sworn, says :

I reside in San Francisco; I had the contract with the State to build the State Prison; I was then the agent of the San Francisco Manufacturing Company; General Estill had sold to the company all his right to the labor of the prisoners, he retaining some part of the stock of the company; I bought some of the stock before I took the contract to build the prison; we put fifty or sixty convicts at work on the foundation of the prison building, and the balance of them were at work for the company, making brick and quarrying stone, for sale in the city. At least six or seven of the guard were men of the lowest order, and four or five of them were drunk nearly all the time. The bar for the sale of liquor, I think was started by Estill himself; Wood had charge of it, and was paid as a member of the guard at the same time; I was there several times, perhaps fifty times while the female convicts were there; they did washing and sewing, and went about where they pleased. Capt. Thompson was captain of the guard, and was very familiar with a female convict called Mary Ann Wilson; I have seen him pull her down toward his lap and handle her familiarly; I have seen Lieutenant Gray a hundred times, probably, during his service at the prison, and I never saw him sober; he was very harsh towards the prisoners; I put the contract into the company, and all the stockholders shared in the avails of it; we lost money in the contract; if the State had built the prison without convict labor, or, if a contractor had done it, it would have cost just about the contract price, \$135,000. There were five or six escapes while we were building the prison; there was a reward offered for Smith; do not think he was caught; the reason why so many escaped is, that the convicts were sent all about the country and on the bay, without any guard, or with a very insufficient guard; another reason was, that there were not a sufficient number of the guard to render the convicts secure or safe; there were six or eight convicts called trusties, who lived and slept at the boarding-house, without any guard or security; the barkeeper stayed there, and was called a guard, but he did not watch nights at all—at least, he told me so, and I never saw him on the watch day or night. When a prisoner escaped, it was a common practice to send other convicts, trusties (so called) after them. I think the convicts can be fed and clothed very well for twenty cents a day. The labor of the convicts is worth an average of \$2 50 a day. I have seen prisoners in this city, frequently, walking about the streets, without any guard; last summer, General Estill had a servant in his employ in this city, who was at the time a convict; his name was Lusenbeck; he had been working about General Estill's house and office about three months; he took care of General Estill's horse, and I have seen him riding the horse about the city and leave it at the office for Estill; while he was in Estill's service he was arrested again, and taken before the Recorder for stealing; I think he got clear of the last offense, on account of the absence of some of the witnesses. I am sure that Lusenbeck was staying in the city and serving about Estill's house and office, before he was pardoned by the Governor; it was soon after he was pardoned that he was again arrested for stealing; it appears from

the books that he was pardoned May 17th, 1854; I think his last arrest was some time in August or September, 1854; there was a prisoner by the name of Fisher came on shore from the boats and vessels that brought over brick and stone, and I have known him to stay away from the vessel over night several times; he was a very good man, and I believe was afterwards pardoned.

THOMAS D. JOHNS.

Subscribed and sworn, before me, this }
26th day of Feb., 1855, }

JNO. T. CRENSHAW,

Chairman.

DEPOSITION OF E. BUCKLEY.

I reside in San Francisco; I was at the prison, as foreman of the prison building, from the 22d of August, 1853, to December of the same year; the management of the prisoners was very bad; convicts were frequently out shooting birds, and out in boats without a guard; they were out fishing; I man by the name of Jackson, and one by the name of Francis used to go out often; the latter has since escaped; there were female convicts; Mary Ann Wilson used to do washing for money, and spend the money at the bar on the prison grounds, for liquor; I saw her go into a room with Capt. Thompson, and heard the door lock. I have seen Lient. Gray go to bed with a convict called Scotch Mary; I never knew a convict to stand guard while I was there; they acted as overseers; I have frequently seen prisoners go to the bar and drink, and have seen seven or eight at a time drinking at the bar; I have seen Mr. Gray, the lieutenant of the guard, order liquor to be given to prisoners; I have seen Gray so drunk he could not walk straight, and he was led by one of the guard; his clothes, on one side, were muddy, as if he had been down. There were several escapes while I was there; one by the name of Smith was called a trusty; he used to go shooting, and go after the cattle; he afterwards escaped; there were ten or twelve in a gang, taken off some two or three miles to cut wood, and some of them escaped there; one black fellow escaped and two white men; one guard was with them, but the convicts escaped while he was attending to a call of nature; they used to stay away over night; I have never seen but one guard on duty at a time in the night; on one occasion, the captain of the guard, Thompson, told me he found the guard asleep; I have seen the prisoners work at the brick-kiln on Sunday; there was about a week that the convicts had no bread; when I first went there, they were very well fed; afterwards, they were poorly fed; I have seen prisoners walking through the streets of San Francisco, without any guard;

one man by the name of Wallace was here twice, saw him at the prison again afterwards; there is another drinking house off the prison ground, towards Corte Madera; I have seen prisoners there drinking liquor, and have seen them drunk; I have seen members of the guard there drinking also.

EDMUND BUCKLEY.

Sworn and subscribed, before me, this }
26th day of Feb., 1855. }

JNO. T. CRENSHAW,
Chairman.

TESTIMONY OF PETER JOYCE.

Peter Joyce being sworn, says:

I reside in San Francisco; I went to the State Prison March 15, 1853, or thereabouts, and was employed as a guard until May 20, 1854; there were some escapes while I was there—Hawkins, a black fellow, Joe Francis and Dick Hall escaped; Hawkins was trusted out about the yard, and cooked at the house; he had one chain on him; he slept nights on board the prison brig; he hid himself in the bricks the second time he escaped. A young man employed as waiter, a convict, went away with Gen. Estill, and was absent some days—about a week; his name was George Darrah; he returned to the prison that time, and afterwards escaped in the night, along with a Scotchman, having been left at the cook-house without a guard; an Irishman, named Kelly, who was trusted without chains, tried to make his escape, and did not succeed, and he then had chains put on him; he was allowed to go with Lieut. Gray to the mines, where he said he had money buried; he had chains on when he went away with Gray; came back in about ten days, and was flogged for telling lies; I was one of the guards; there were from ten to sixteen guards; under Maj. Daniels we had seven posts, each guard relieving the other at the posts, following round in succession; after the escape had been made through the roof of the prison, two guards were stationed every night on the roof. I have seen Thompson, captain of the guard, drunk; also Lieut. Gray; I have also seen a convict woman, named Mary, get very drunk; and the convict women were allowed to pass the guards to get liquor at Parker's tavern, near Shephard's brick yard; a negro convict also had liberty to pass, to bring liquor from the same place. I have seen convicts drunk and fighting with the masons who built the prison; they got their liquor at the bar which was kept at the masons' boarding-house, near the brick-yard, and tended by Woods, one of the guards; I was instructed to let some convicts pass to get liquor; I had stopped them, but was told not to stop them; as soon as the masons had finished the prison, Woods' bar was discontinued, and another bar started by Estes, captain of the guard, on board the prison brig; Mr. Estes sold the liquor, and I

have seen him receive the pay for it ; I once obtained from him a bottle of grog, to give to a band of prisoners sent with me to fetch wood ; I understand that other guards were in the habit of doing the same thing ; the liquor I gave to the prisoners was charged to me by my order ; and when I presented my bill to the company for liquor thus furnished, the agents refused to pay it. I left the prison 20th May, 1854. Gahan, a convict, was allowed to leave the prison to wait on Capt. Thompson, while sick ; he never came back to the prison ; a Chinaman convict was allowed to go to San Francisco, to wait on Gen. Estill, at his house ; the Chinaman spoke English, and told me he was going to wait on Gen. Estill. A convict, Dewing, was allowed to live outside the prison grounds with his wife. The prisoners were ordered out to work about daylight, and were turned in about sunset. Sometimes on Sunday convicts were set at quarrying stone, loading brick and stone, burning brick, and such other work as was usually done on work days. Several prisoners went on Sundays to work on Thompson's ranch, where vegetables were raised for the use of the guards ; on such occasions they usually received liquor, and came in from their work somewhat intoxicated ; this was a common occurrence during the spring ; the work done about the prison grounds on Sunday was usually done for the purpose of dispatch, to get off some scow or vessel. I have no prejudices, nor hostility or ill-feeling towards Mr. Estill ; he has paid me every dollar he ever owed me.

PETER JOYCE.

Subscribed and sworn to, before }
me, this 27th Feb., 1855. }

JNO. T. CRENSHAW,
Chairman.

TESTIMONY OF JOHN McDOUGAL.

John McDougal being duly sworn, says :

I reside at Belmont, in this county ; I had charge of the State Prison about two months, commencing in June, 1852 ; I also had charge of the prisoners about one month before they were removed to San Quentin ; when Col. Hays had the prisoners there was a break amongst them, and Col. Hays became alarmed, and I bought an interest in Col. Hays' lease of prisoners ; Col. Hays gave up the entire management to me, and transferred the lease back to Estill ; I bought my interest of Estill ; I worked the prisoners some on Angel Island, some on Goat Island and then I took them over where they now are ; I worked them in quarrying stone and manufacturing brick for this market ; I think the Lessee has lost money on the prisoners. Major Allen, who was a stockholder in the company, lost about \$67,000. Under the present management of the convict labor and the business of the prison, it is a loss to any one having anything to do with it ; but I believe there could be a discipline introduced by which the convict labor can be made profitable ; I believe the convict labor, confining it to the manufacture of brick and quarrying of stone, can be made worth, over and above all expenses, \$1 00 per day, for each laboring convict. This estimation is based upon the assumption that a prison and prison walls shall be sufficiently large to contain the prisoners, and alleviate the necessity of a very large and extensive guard.

John McDougal, continued :

I should think, under the present organization, the safety of the prisoners requires about one guard to every eight or ten prisoners—and, if they were enclosed by a wall, one to every twenty or twenty-five would answer the purpose. John C. Hays leased the prisoners of Estill in the latter part of 1851, and during the time Hays had charge of the prisoners, Estill gave up to him the entire police management and control of the convicts ; I gave up the management to Estill in August, 1852 ; from that time to the present Estill had the general supervision ; Vassault was the financial agent here. It is not the custom to offer a reward for escaped convicts, but it is the better policy to start men in pursuit and to notify the Sheriffs in the different counties—and if prisoners should be retaken and brought back, to pay for those services ; it is the business of the Lessee to pay for retaking and bringing back prisoners ; it is customary to have trustees in every penitentiary, and it is policy to do so for safety ; my life has been saved by having trustees ; while I had charge of the prisoners, I used to send trustees over to this city, frequently, of errands, and they sometimes stayed all night and slept at my house ; I employed one convict as guard on the prison brig : I allowed him arms, and he used them on one

occasion in a break and fought against the other convicts ; I do not consider the convicts secure where they are, by any means ; I do not consider it safe for the guard and officers.

JNO. McDOUGAL.

Subscribed and sworn, before me, }
this 27th day of Feb, 1855. }

JNO. T. CRENSHAW,
Chairman.

TESTIMONY OF J. L. VAN REYNEGON.

J. L. Van Reynegeu, sworn :

I formerly resided in Marin County, about three miles from the prison ; I have frequently seen convicts three or four miles from the prison grounds, getting wood ; they usually had one guard to each lighter or boat, from four to ten prisoners with each boat. The people of Marin are constantly in fear of prisoners, constantly expecting outbreaks ; I have known many persons to object to living or settling there with families, on account of the constant fear of outbreaks and violence of convicts. I offered my place for sale, and men objected to buying it on account of its proximity to the State Prison ; I have a family, and dreaded to leave my house, for fear of violence to my wife and daughter by escaped convicts ; they are frequently making their escape ; I have known a great number at a time lurking about and secreted themselves in the bushes ; they lay about there and get plenty of game until their hair grows out ; I have seen convicts that they call trusties in this city ; they were allowed to go all over the city without a guard ; one in particular.

J. L. VAN REYNEGON.

Subscribed and sworn to, before }
me, 28th Feb. }

JNO. T. CRENSHAW,
Chairman.

TESTIMONY OF JOSEPH B. WING.

I reside in San Francisco, am a police officer; I was employed as guard and overseer at prison from January 1853, to November of the same year; the female convicts were kept a portion of the time in the cabin on the Prison Brig, afterwards they were removed to a house (called the middle house) where Mr. Gray slept; there were four female convicts some of the time, and three some of the time; no other man but Gray slept there after the women went there; the women were employed washing for the officers; sometimes one or more male convicts assisted them in bringing water and clothes, or putting up clothes lines; the females eat apart from the male prisoners; I have known convict labor to be done on Sunday, that was not necessary to save the property; I have seen them engaged a half a day on Sunday loading a vessel with stone; the female convicts lived a part of the time, from January until June, in the same ship (different apartments) with male convicts; after that they lived in the middle house; I have taken prisoners after wood on Sunday, when the tide served; we were obliged to take advantage of the tide; the prisoners would go when we were short of wood, on Sunday, in order to save the tide; I have known convicts frequently to load vessels with brick on Sunday; they would load whenever the vessel came, whether it was on Sunday or not; I was discharged from the guard; I did not agree very well with Judge Thompson, and I always supposed I was discharged on that account, but I never could find out; after I had been discharged, Gen. Estill said I could go back again if I wanted to, whenever there should be a vacancy; I never got drunk at the prison; I might have got corned sometimes when off duty, on the 4th of July, or some such occasions; in 1853 there was a Committee of the Legislature came there, and after they left the officers and guard all got pretty tight; the reason why they got tight at that particular time was that there was plenty of liquor there; I suppose it was brought there on account of the Legislative Committee being there; I have no prejudice or ill feeling towards Gen. Estill; it would be unreasonable in me to have, for I have no reason to have; he always treated me well, for ought that I know; I disliked Capt. Thompson; I had some difficulty with him; he got tight on one occasion, and I told Maj. Daniels of it, and that was the cause of the difficulty; the middle house (so called) was built when I first went there, and was then occupied by the officers of the guard and overseers.

J. B. WING.

Subscribed and sworn to before me }
 this 28th day of February, 1855. }

JNO. T. CRENSHAW,
 Chairman.

TESTIMONY OF ROBERT ALLEN.

I reside in the city of San Francisco; I am Quarter-Master in this city; I was formerly a large stockholder in the San Francisco Manufacturing Co.; there was an arrangement made with Estill to use the prison labor; the labor of the prisoners was assigned to this company, but Estill retained the police government of the prison; this arrangement was made with Estill after we had as a company put up machinery for making brick at Point San Quentin, at the place where the brick yard now is, adjoining the prison grounds; we afterwards acquired title to eight acres of ground, more or less, of Buckelew, including the ground where the brick yard at present stands; at the time of arrangement with Estill we had our brick yard under way, but had not ascertained our profits or loss at the time; I was induced to go into this arrangement from fear that the lessee would go to making brick, and be a successful compeditor with us in that article; I lost during my connection with the whole enterprise about \$50,000; the connection lasted about two years, with prison labor; the first Superintendent was Gove, then B. Lippincott, and then Major Daniels, until Estill took charge; Mr. Vassault was the financial agent of the company in this city until about July 1853; I will not be very certain about dates; after Vassault then Johns was elected agent, at which time Estill took the Superintendency of the prison, and Johns continued about a year; during Johns' administration the prison was built; I think the losses occurred by bad management; I returned from the States and I found that the books showed the company charged with at least twice the quantity of provisions that would make rations for the same number of soldiers in the army; I think there was a great neglect on the part of the agent, in keeping the books and accounts; while I was president of the company complaints were repeatedly made by the Superintendent, Maj. Daniels, to me, that bills of lading were not sent over to him accompanying the provisions purchased in the city; I notified Vassault of that fact; he would then correct the difficulty for a period, and again fall into a like neglect and looseness; I think with careful management the convict labor might have been made profitable (upon the whole) during the period of the existence of that company; there was a great deal of mismanagement if not peculation; it was stated by members of the board that Capt. Johns had been guilty of unfair dealing in the sale of the State Prison Bonds; it was stated by members of the board and other stockholders, and generally believed that he sold those bonds for 15 or 20 per cent. less than might have been obtained for them at that time. In 1852 and 1853, Gen. Estill was in the Senate of this State; during that time he was not at the prison much; the Superintendent then received and discharged prisoners.

Cross-examined by Gen. Estill.

When I went away the company owed me about thirty thousand dollars, interest and all; I think there has existed a great deal of ill-will between Capt.

Johns and Gen. Estill, growing out of these transactions; and also between myself and Capt. Johns, growing out of a law suit between him and myself, in which law suit I charged Johns with having sold my stock at a high rate, and afterwards transferred his own stock to me on the books after the stock had depreciated more than one-half in value; I obtained a judgment against him for between four and five thousand dollars for the original value of my stock, thus the charge was sustained against him; he put his property out of his hands so that I have never been able to collect a cent of it; I have no doubt of his ability to pay if he desired to do so; I think there is some ill-feeling existing between Gen. Estill and Mr. Young, the witness.

ROBERT ALLEN.

Subscribed and sworn to before me, }
this 28th day of February, 1855. }

JNO. T. CRENSHAW,
Chairman.

DEPOSITION OF ROBERT C. CLARK.

R. C. Clark, on oath, deposes and says:

Am a citizen of Marin county, and have been for three years; have a family there. The general feeling is that the State Prison is a perfect nuisance, and that we are liable to robbery, and our wives to ravishment at any time, as the thing is now situated. No longer than last week, if the thing had not been discovered, the whole 300 of them would have been loose and upon us; they were caught in the act of escaping; I state this from general report. I have seen a prisoner come to San Rafael and get drunk alone, and tie his riata to his legs in order to wake him up; saw three or four of them there, on the same day—only one drunk. It is a fact that the price of real estate in that vicinity is depreciated nearly 50 per cent. by the presence of the State Prison. I know of one case in which a person has removed his family and broken up in consequence of fear of the prisoners; farm animals are obliged to be kept up at night constantly, on the same account. The universal desire of the citizens of Marin County is, that the prison either be removed from the county or a wall built around it and prisoners be kept inside of the wall; one convict, of the name of Tailor, I have seen at least every week out on horseback, hunting horses; a charge was made before the County Judge that a guard named Johnson, while in charge of fifteen or twenty prisoners, at work on a farm, one and a-half miles from the prison, made an attempt to commit a rape on the wife of the man on whose farm they were at work; a warrant was issued for his arrest, but Johnson had escaped; the woman's name was Watson; this was last summer; the prisoners

were at work with agricultural tools on the farm; some in chains, and some not; have been much around the prison; the prisoners are fed too well—better than they get at home: prisoners have come without guard to my place for beef within the last year; at least, I took them all for prisoners; no one was arrested that I saw, said the General had sent them for beef; I gave it to them, and they left; I am an Associate Justice of the Court of Sessions of Marin County.

ROBERT C. CLARK.

Subscribed and sworn to, }
Feb. 28th, 1854. }

JNO. T. CRENSHAW,
Chairman.

TESTIMONY OF ASA ESTES.

I am captain of the guard; I have been living at the prison as guard from the 9th of July, 1853, to Aug. 22d, 1854, and have been captain of the guard ever since; there has always been voluntary labor amongst the prisoners to do all the Sunday work we have had, without compelling any of them to work; they prefer to work rather than stay in the cell. When I took charge, there was no money belonging to prisoners turned over to me; since I have been in charge there have been two or three discharged, and they called on me for their money; I looked on the books, and found they had credit for small amounts, and General Estill said he would pay it to them; he gave some of them orders for money; there were some old broken watches and one ring and a locket turned over to me, and a great many pocket-books, with some papers in them, all marked with the names of the prisoners on them; Judge Thompson was sick a long time, and could not get to the safe; Judge Thompson left some month or six weeks before I took charge; I recollect when Firman Cruz was discharged; Captain Thompson told the Captain of the Ida that Cruz had been one of the best men in the prison, and he had just got his pardon, and said he, I want you to take charge of him; the captain took him off about two or three o'clock in the afternoon; I never saw him afterwards; I have seen his mother since; she said she thanked all hands at the prison, and the Governor for pardoning her son; I saw her at her own house, and slept there over night with a woman that she brought me; the woman I slept with was boarding there; there was two other Spanish women of the same character at the same house; these same women went to the prison and returned with the old woman whose son was in prison. They appeared to be lewd women, and were endeavoring to make themselves familiar with the guard and all the men about the prison; Judge Thompson told me, while I was a member of the guard, not to allow these women to come on shore at the prison, because it was Estill's directions not to allow them about the prison;

General Estill has given the same orders to me since I have been the captain of the guard : he gave me those orders when I first took charge ; Lusenbech never left the prison grounds until after he got his pardon ; this was about twelve months ago ; I think it was the first of March ; Lusenbech's brother's wife came there with the pardon ; she handed it to Lusenbech at the wharf ; they all went together up to the office, and gave it to Capt. Thompson ; I think the chains had been taken off Lusenbech fifteen or twenty days before the pardon came ; Bill Watkins was never made a trusty or allowed to sleep outside of the prison building ; I kept him locked up ten days at a time before he went to Marin Island : he escaped from Marin Island ; we generally kept in double irons.

ASA ESTES.

Sworn and subscribed before me, this }
1st day of March, A. D. 1855. }

B. C. WHITING,
Chairman.

TESTIMONY OF JOHN M. GRAY.

John M. Gray being sworn, says :

I resided at the State Prison, and was lieutenant of the guard from August, 1852, until a few days since : there are now at the prison and island about twenty-five guard : there are four night guards, two on guard at a time—one of these are on the prison, and the other on the balcony ; the day guards go to their post before the prisoners are turned out of a morning, and are not relieved through the day, except to go to meals : prisoners are turned out to work about sunrise, and turned in again about sundown ; guards are furnished with a rifle or musket and dragoon revolver, each ; they have not been compelled to work on the Sabbath day, only in cases where we actually wanted something from here, or actually wanted to bring something here, or to save brick when a rain was coming on, or to get wood when we were burning a kiln ; we arranged it so as to divide the work equally among them when we had to work them on Sabbath ; they did not object to work on Sabbath, for they had better be out than in the cells ; prisoners were allowed to bathe in the summer ; we took a part out at a time, according to the guard that was there ; sometimes some of the guard would ride out of a Sunday ; prisoners were allowed to bathe at any time they applied for permission ; generally they were allowed to change shirts once a week, when they had shirts for them ; sometimes we had not a change of shirts for all of them ; there was a class of convicts called trusties, numbering from seven to fifteen : trusties generally slept in the big room of prison ; some of them slept out in the houses about the prison ; there has been a few of the

trusties escaped in the night, of those who slept out of the prison ; I think there are over three hundred prisoners now at prison ; I do not now recollect how many have escaped since I have been there ; there has been about seven or eight prisoners killed about prison and grounds since I have been there ; when I was at the prison Judge Thompson, captain of guard, always received money and valuables from prisoners, and gave them to me, and I locked them up in the safe in office ; I can not say whether any entry was made of these valuables or not ; there was generally a paper attached to the purse or valuables, with the name of the prisoner on it ; I kept the key of the safe while there, and when I would leave I handed the key to Judge Thompson ; Mr. Stebbins and Mr. Buckley and their men deposited their money in one drawer in the safe, and I kept the prisoners' money and valuables in another ; jewels, such as watches, &c., were placed in a segar box in the safe ; it was the uniform practice to pay back this money and valuables when they were discharged ; it was customary to buy tobacco and any other little luxury that they wanted with their money, or a shirt, if they wanted it ; there were five female prisoners while I was there ; they were kept confined in a separate apartment in the brig while there, and in a separate house when taken from there ; other prisoners had no access to them, that I know of ; they were generally locked up in their house at the same time the other prisoners were ; three of the female prisoners had their husbands in prison ; the husbands were allowed to go to see their wives on Sunday ; there were three rooms in the house where the females were—the windows slatted over, and the doors made secure ; the females washed for guards ; I knew Fermin Cruz when he was there ; I saw his mother there two or three times, with other Mexican women ; I think he was put in for three years ; he is not now in prison ; I heard at the island (for I was not at the prison) that he was discharged by Judge Thompson ; it is usual for the captain of the guard to discharge prisoners when their term has expired ; I think he had been there over a year when he was discharged ; I understood that he was pardoned ; I don't think I ever knew of any money being paid by prisoners or their friends to secure a pardon or discharge ; there were two women left some money with me, and I locked it up in the safe ; they said they wanted to see General Estill ; they did not say what they wanted to see him for ; they said they wanted to put the money in my hands for safe-keeping ; General Estill was not there at the time ; one of them had a brother there, and the other a husband, I think ; I think, upon reflection, one was a son ; I could not tell the amount ; I think each pack had two hundred dollars in it ; it was tied up, and I did not open it to see how much there was of it ; I gave one of the packages back to one of the women ; the other I left in the safe, and handed the key over to Judge Thompson ; I never have seen the money or safe since ; it was the old lady that had a son in prison that drew her money back ; it was the fleshiest one who took her money back ; General Estill said, on one occasion, " Damn the women ! I don't want them about ; I recollect a woman came over to the prison, and brought a receipt, signed by General Estill, for one hundred and ninety-four, or one hundred and ninety-five dollars ; I am not positive about the amount, it was thereabouts ; General Estill had written on the back of the receipt to me to pay over to the woman the money in my possession, and I did so, and took the receipt and put it in the safe ; the other package was then in the safe at the same time ; General Estill wanted me to give my receipt for the money, and I would not give it ; Judge Thompson also urged me to give my receipt and I refused ; I would not receipt for anything about the prison ; I took a memorandum of Buckley's money, but did not give a receipt ; when we had Sunday work and only a job for only one half, they all wanted to stay and work, I had to drive them back to their cells ; those that worked on Sunday, we gave three meals a day and some tobacco, or a little better dinner ; the orders were to give them a better dinner. There was a negro in prison for highway robbery ; his name was Hawkins ; he escaped three times ; he was retaken twice ; the last time he made his escape on Sunday, about two or three

o'clock in the day ; he was cooking at the cook-house ; he had then been cooking about three months ; he had on one chain when he escaped the last time ; he was chained and locked up in the cell every night ; Hawkins had no money that I know of ; I know Lusenbech who was pardoned ; I never knew that he was away from the prison grounds until after he was pardoned ; I think he had his chain on when his pardon came ; I was there when it came ; I think the pardon was brought over by the Ida, and handed to Judge Thompson ; I went with a prisoner by the name of Kelly (with General Estill's permission) to Greenwood Valley, El Dorado County ; he said he had eight or nine hundred dollars buried ; I went with him in the hope of finding the money, but I found he had been lying to me ; I brought him back and punished him for lying. I left the prison grounds and went to Marin Island in April, 1854 ; I had been there before, and had been back and forth before the first of April, the time I took the brig over ; I have a ranch on the hill close to the prison grounds ; it is a squatter claim ; I had convict labor in building a house on it.

JOHN M. GRAY.
His † mark.

Subscribed and sworn, before me, {
this 1st day of March, 1855. }

B. C. WHITING,
Chairman of Select Committee.

TESTIMONY OF E. F. LUPTON.

E. F. Lupton, being sworn, deposeth and says :

I reside in San Francisco ; I am a contractor and builder ; I think that the labor of convicts would be worth to me, in this city, one dollar each, over and above all expenses ; I think the quarry at the State Prison is a very fine quarry, easily got at and comes out in fine blocks ; at the State Prison, I would be willing to give \$1 75 to \$2 for the prison labor, having the prison to keep them in, with the same facilities that are there now for keeping prisoners ; I mean that I would give this amount provided that I had a contract for building a prison or walls, with the stone on the Prison grounds at a fair valuation ; blacksmiths are worth, in the city, and board themselves, from \$5 to \$6 per day ; brick-layers are worth from \$6 to \$7 per day ; carpenters are worth \$5 per day, wheelwrights the same ; cabinet makers are worth \$4 per day ; painters are worth from \$3 to \$5 per day.

E. F. LUPTON.

Sworn to and subscribed before me, {
this, first day of March. }

JNO. T. CRENSHAW,
Chairman.

TESTIMONY OF W. P. C. STEBBINS.

Wm. P. C. Stebbins being sworn, makes oath and states as follows:

I reside in San Francisco; I was the Superintendent at the building of the Prison; I was at the prison about twice a week during the time the prison was being built; there was a bar kept at the boarding house while the prison was building; the convicts that I saw drinking at this bar were generally called trusties; I never saw any one of them drunk; I was not there on any Sunday; I was generally there from two to three days and two nights each week.

WM. P. C. STEBBINS.

I am Superintendent of the building of the new Custom House; there is a contract made with the lessee of the State Prison to furnish stone for the building at \$8 per sixteen cubic feet, measured in the wall; the contract amounted to about \$24,000; there is also a contract for brick, at \$18 per thousand, but the brick being indifferent, they got only \$15; it will take about 1,300,000 bricks; brick of the same quality may be obtained from \$12 to \$13 per thousand.

Mr. Stebbins being recalled by Estill, says:

While I was superintending the building of the prison, Mr. Buckley, my foreman, told me that the money of my men was in the safe, and that Mr. Gray, lieutenant of the guard, kept the key of the safe; while at the prison, I never saw any of the guards drunk; I have seen some of them drinking; I was there, off and on, four months; I have never seen Lieut. Gray drunk; I always found him at his business.

TESTIMONY OF J. S. MANN.

J. S. Mann, on oath deposes and says:

My business is contracting on the streets of San Francisco; I believe that convict labor would be worth, in San Francisco, paying all expenses, about \$1 dollar per day; I would be willing to pay that for them and take care of them; have offered General Estill \$1 each for forty convicts, and I take charge of them entirely and pay all expenses; he declined lettug me have them; I think that on account of free laborers often having the opportunity of drinkiug, and prisoners being temperate and obliged to rest regularly, that their labor is worth more to me than free labor; I am now paying \$1 56 per day for common laborers; the difference between them and the convicts, fifty-six cents per day each, I think would pay for guarding them.

J. S. MANN.

Signed and sworn to March 1, 1855.

ASA KINNEY.

TESTIMONY OF JOHN DESMONA.

John Desmona being sworn, states:

I was guard at the State Prison from December, 1852, until July, 1853; Reeves, a convict, escaped while I was there; he was a trusty, about the cook house; escaped about twelve o'clock at night; there was no guard, that I know of, at the cook house that night; there were others escaped while I was there; Bill Hawkins escaped while I was there; I have seen trusties in the streets of San Francisco, in 1853, without guard; I have seen Gohn, while waiting on Thompson, in San Francisco, more than once, in the streets; there was no bar kept at the cook house while I was there; there was a bar kept at Parker's about five hundred yards from the prison grounds; I have known a prisoner to get liquor at that bar once; all the prisoners were worked on the prison grounds when I was there, under the superintendence of Major Daniels; myself, Lieut. Gray and one other guard went to bring wood to the prison, with fifteen or eighteen convicts; the wood was three miles from the prison; no escapes ever occurred while I was there, while getting wood: they had not commenced building the new prison before I left; Reeves was re-captured in a few days; he stole a horse in the neighborhood, and the horse was shot from under him by the guard, in re-taking him; Estill paid for the horse; Reeves pretended to be sick when he escaped.

JOHN DESMONA.

TESTIMONY OF A. JACKSON TICE.

A. Jackson Tice sworn, says :

I reside in San Francisco; I was employed as Superintendent of the State Prison, from the 17th of May, 1854, to some time in the latter part of July; I went back again and was about there a day or two afterwards; I received instructions, both verbal and written, relative to the treatment of convicts. Gardner was put in for manslaughter July, 1854; General Estill wrote me that Gardner was a gentleman, and I must not put him in a cell or keep him to work, until he came up; I locked him up in the large room at the prison, in the basement story, as long as I stayed there; I have understood he has escaped since I left there; I left about a week after Gardner went there. A man was sentenced for killing the editor of the Police Gazette, in San Francisco; General Estill told me he wanted him to have all the liberties of the place, and instructed me not to keep him confined; he said he did not want the guard to know that he was a prisoner; I think his name was Foley; his name is not on the book, that I know of; General Estill was there when Foley was brought over; while he was there I went and locked up the other prisoners, towards night, and General Estill took Foley into my office and talked with him; Estill said Foley was a perfect gentleman; that he had a letter from a friend of his; he is well-educated, and never ought to have been convicted, and he thought he would be pardoned in a short time; he wished me to give the full liberties of the ground and to allow him to pass in and out, at his own convenience; also to allow him to sleep at the house, to furnish him with pen, ink and paper, and also to allow him to eat with Judge Gates; Gates was a trusty convict, who acted as steward at the house, and had his liberty, and did not eat with the rest of the prisoners; about two weeks after, General Estill appointed Foley on night guard; he told me he had made a night guard of Foley, that he was to oversee the grounds at night; I have understood he afterwards escaped, while on night guard, and left a note stating that he would send \$500 back. There was a convict by the name of Brown, who acted as clerk in the office while I was there; I think he was in for five years; I saw him here in town after I left the prison; his time had not expired; he came to my place of business, on Leidesdorff street, and showed me a petition he was circulating for his pardon; I signed it; he said the General told him he might come over and stay two or three days, to get his friends to sign his petition; while he was here he forged a check on Macondray & Co., and was sentenced for ten years more, I think, instead of obtaining a pardon; I think he is now at the prison. While I was there, I was required to make a report to the San Francisco Manufacturing Co. once a month; there were two or three prisoners who had been reported as being in San Francisco; I continued to report them in the same way in all my reports; I think I made three reports while I was there; I never saw those men, that I know of; they were never there while I was there; I do not know where they were, except from information; they were said to be in San Francisco; I never knew but two men to escape from the boats that came over with brick and stone—one was Brown, from Monterey, and the other, Harris; they escaped while the boat was discharging

here. It was the custom while I was Superintendent for the captain of the boats to act as guard.

Cross-examined by General Estill :

I never saw Foley with arms, that I know of ; while I was Superintendent, and after Capt. Thompson left, I was in the habit of receiving money, jewelry and other valuables belonging to prisoners that came after Thompson left (not before), and I always put them in the safe ; I set down in a book, kept for that purpose, opposite each man's name, whatever articles were taken from him ; the packages were generally labeled with the name ; the key of the safe was laid in a desk ; the office was open to the guard ; Mr. Gray and Capt. Estes had access to the key ; Brown, a convict, used to have the key, and open the desk and safe ; he had full charge of the office ; I did not carry the key in my pocket ; I have never given any memorandum of funds that I used out of the safe to General Estill, that I recollect ; I may have done it, but I do not remember ; I think I once gave Estill a memorandum of money that I had paid out for provisions for the company ; there was no money of prisoners in the safe when I went there, but I understood all the money and valuables belonging to prisoners were in Gray's possession ; when Capt. Thompson left the prison, he gave me some old pocket-books, belonging to convicts, and two boxes of jewelry, that belonged to Capt. Estes ; I understood it was made at the prison for Capt. Estes ; I put them in the safe ; Capt. Estes afterwards took the jewelry out ; I never was very particular with the key of the safe while I was there, because there never was any thing of value in the safe until I put Capt. Estes' jewelry in there ; the guard might have had access to it, if they had desired ; I do not know positively whether General Estill ever opened the safe, or had the key of it, but I think he did ; he had free access to everything he wanted about the prison ; he might have been to the safe a hundred times, and, perhaps, not at all ; there was nothing of value in the safe, and I paid no attention to it ; after Capt. Thompson left, I receipted and discharged prisoners as long as I remained there.

Direct :

Sometimes, by order of General Estill, we discharged prisoners two or three days, or, perhaps, a week before the time expired ; I don't think those orders were in writing ; I took a memorandum from the book over there, just before I left, of the number of prisoners discharged before the time expired ; I have that memorandum somewhere ; I have not got it with me ; I can produce it to-morrow ; some of the prisoners discharged before their time expired, had been pardoned, and some had not ; I have never been instructed by General Estill to discharge prisoners more than a week before the time expired ; there was a book on which the date when the prisoners are received and when they are discharged, is put down ; it is a different book from this ; there is a small private book at the prison, which contains the discharges and date of discharges, and it will show what I have stated relative to discharges before the term of imprisonment expired ; that book shows more clearly than the large Register you have here. While I was Superintendent, I was down here over night ; that night three convicts escaped from the large room in the basement of the prison ; there were some four or five trustees escaped while I was there ; they were not locked up ; I knew of several instances where convicts had shirts and hats purchased with their own money ; the guard, or one of them, Henry Hays, gave them shirts sometimes of his own, when they were destitute. The exhibit hereto annexed, marked "A," shows the number and date of all discharges of prisoners, while I was Superintendent. The letter written by Mr. Foley, and addressed to Judge Elcan Hydenfeldt, a copy of which is here made, exhibit "B," shows some of the facts stated in reference to the privileges given by General Estill to Mr. Fo-

ley ; while I was Superintendent, I found one of the guard (a man by the name of Williams) laying inside of the guard-house, fast asleep, about three o'clock in the afternoon ; I gave orders for a relief guard to take his place, and not to wake Williams up ; there were some of the most desperate convicts at work within 200 yards of him—one was George Adams ; I called Williams up after he awoke, and discharged him ; Estill came over and re-instated him as a guard, and Williams remained and acted in the capacity of guard when I left the prison ; I left the Superintendent at the prison on account of a refusal on my part to put in ten thousand dollars to buy up the prison ; Estill asked me to do it, and I refused. He wanted me to take ten thousand dollars of the new State Prison stock. He said, " If you will take ten thousand dollars of the stock, you can stay here as Superintendent as long as you please—and if not, there is another man, a Mr. Turner, will take it, but you shall have the preference ;" I refused to take it, or, rather, put him off ; I was not actually discharged, but I left there, and Turner took my place.

Cross-examined by General Estill :

Sometimes the commitments read so that convicts are to be confined a certain length of time from the date of the sentence, and sometimes from the time they are received at the prison. This paper (exhibit " A ") is made out from the commitments and the books, and is correct ; I think this paper corresponds with the commitments and the book now at the prison. I have sometimes discharged convicts by order of General Estill, without looking at the commitments ; I think that all the discharges that I made are mentioned in exhibit " A ;" there are also some mentioned in exhibit " A " who were discharged by Capt. Thompson. I was instructed by General Estill, when I went there, to discharge prisoners whenever their time expired—and always did so, unless I was otherwise instructed by General Estill ; when a pardon came, it was generally accompanied by a letter from Estill ; I only remember two pardons that came while I was there, and I think both those were accompanied by a letter from General Estill ; if a pardon had been presented to me under the hand of the Governor and the seal of the State, unaccompanied by any letter or instructions of General Estill, I should have considered it within my province as Superintendent to discharge the prisoner named in the pardon ; I do not think any pardon ever came while I was there unaccompanied by Estill's instructions ; the pardons were generally sent to General Estill. I have no distinct recollection about the discharge of Firmen Cruz, but I think he is one of those that Thompson discharged ; I have no recollection of ever seeing Firmen Cruz ; Estill was with me when I went over ; we got there, I think, the night of the 16th May.

A. JACKSON TICE.

Subscribed and sworn before me, this }
2d day of March, A. D. 1855. }

R. C. WHITING,
Chairman of Select Committee.

TESTIMONY OF DR. ALFRED TALIAFERRO.

Dr. Alfred Taliaferro, being duly sworn before the State Prison Committee, March 10, 1855, says:

I reside within five miles of the State Prison; have been employed by Gen. Estill as visiting physician at the prison for the last eighteen months; I am there often; when it is necessary, I am there every day; the management of the prison has been rather loose, but the liberties given to convicts has generally been to those that had but a short term to stay; they usually had a great number of trusties; some ten or fifteen trusties; trusties were sent after me when any one was sick; about thirty guards usually employed about the prison; have seen some intemperance or rowdiness among the guards, usually in the evening; but the guards, having been formerly of the class called rangers, are very brave and desperate men, but somewhat addicted to dissipation; believes that much of this intemperance is not known to Gen. Estill, and has frequently known guards to be negligent, and by that negligence to allow the escape of prisoners, but in such cases they concealed their negligence from the captain of the guard by telling some plausible story; has known diseases amongst convicts from the use of bad flour; some one or two that I attended to and eight or ten others that I heard of, such as cholera, cramps and spasms, and in such cases I have given immediate notice of the fact to the Superintendent, to have it corrected; it has usually been corrected; I am employed by the month and not by the visit; only one has died by disease since I have been in attendance, and one other died suddenly in his bed without any premonitory symptoms; I do not think the prisoners are safe in private hands, nor that it can ever be made so; I am opposed to the practice of farming out the convicts; it is not a correct system; I am acquainted with Buckelew; I think he is partially deranged; I would not rely upon anything he would testify to; he makes wild and reckless statements; I have known of convicts working on Watson's place and also on Thompson's place; these were pre-emption claims on what is called Buckelew's ranch; I sent for eight convicts, year before last, to get out my potatoes; they worked three or four days; they had two guards with them from the prison, and some of the time more; they staid at my house over night; they slept up stairs; they were not chained or locked, but the guard slept below; the house was not locked; there were none escaped while at my house; afterwards, they dug potatoes at Phoenix ranch, about four miles from the prison; they staid there over night; they formed a plan to escape from my house, (as one of the prisoners has since told me) and the only thing that prevented them was the dogs; they were afraid of the dogs, or were apprehensive they would bark and rally the guard and others.

ALFRED W. TALIAFERRO.

Subscribed and sworn before me, }
this, tenth day of March 1855. }

B. C. WHITING,

Chairman Select Committee.

COMMUNICATION.

OFFICE OF SECRETARY OF STATE, }
 Sacramento, March 24, 1855. }

To the Hon. Committee on State Prison :

I find, on looking over my day-book, that H. Cruz was pardoned on the 8th May, 1854. The list of pardons, consequently, made out for the Governor and sent in to the Legislature, should be corrected by adding this case. By some oversight of mine this case was not transferred to the record, and consequently not sent to the Governor.

Respectfully,

WM. H. R. WOOD,
 Clerk to Secretary of State.

TESTIMONY OF S. W. HAIGHT.

Mr. S. W. Haight, being sworn, says:

Is a merchant and broker; I first became connected with the prison affairs June 29th, 1854; I purchased one fifth of all assets and business connected with the prison, and assumed the entire agency of the business, except that J. M. Estill, the lessee, should have the charge of the guard at the prison when he was there himself, and when not there my orders were absolute; Archibald Woods, father-in-law of Gen. Estill, purchased the whole of the prison business, labor and assets, before me, and I purchased one fifth of him; at the time of the escapes of prisoners, a reward of \$75 has been offered by me for all convicts having one year or less to serve; \$100 for one year and over; in several instances I have paid as high as \$220 for expenses of re-taking a prisoner, but

sometimes, when Sheriffs have made what I considered an overcharge or an unreasonable charge, I have refused to pay them anything; the Sheriff of San Diego county returned a prisoner, for which he received one hundred dollars, and he gave a receipt in full for the same, which is the whole amount to which he was entitled; I cannot exactly say how much I have paid for rewards, without referring to my books, but I think it is upwards of \$3,000, probably \$3,200 or \$3,300; this includes expenses besides rewards. In relation to the letter from the Sheriff of Santa Clara county, I state that I sent the telegraphic dispatch mentioned in his letter; I received soon afterwards, on the same day, another telegraphic dispatch from Sublette, asking how much I would give for for retaking them; I replied, by telegraph, \$75 and \$100 each, according to the terms stated in my testimony above, or something to that effect; to this I received no reply; on or about the same time, I sent Capt. North and Mr. Nugent, of the city police, to San Jose and all around the bay, to intercept any escaped convicts; I did not send them specifically to the Sheriff of San Jose; I did not send the guard to identify the prisoners at San Jose, because I had received no reply to my second telegraphic dispatch; since I have been acting as agent, no liquor has been sold on the prison grounds with my consent or knowledge; I have furnished the captain of the guard with liquor, in order to keep the guards from the groceries that were kept near the grounds; I have not sold liquor to any one in Marin city; I have discharged at least ten of the guard, because they were in the habit of using liquor contrary to orders; I pay ordinary guard \$50 per month, captain \$150, lieutenant \$100; we have about twenty-nine or thirty guards now on duty, according to the best of my recollection; this does not include Superintendent, overseers, captain and lieutenant, five in all; I do not know of any trusty being employed as guard; the Superintendent reports to me monthly; Mr. Lusenbech never came over to San Francisco until pardoned by the Governor, to my knowledge; I saw him first in the city on the last of June or the first of July, and he showed me his pardon from the Governor, and I hired him to take count of brick and stone on the wharf and report to the office daily; I paid him wages, as agreed on, until I discharged him; since the time I have had charge of the company we have cleared something like \$45,000; this is a rough estimate, without particular reference to books; upon reference to books, this amount might vary more or less; the total expense of keeping each prisoner I estimate at sixty cents per day; no convict has been permitted to remain in the city by my consent, nor by Estill's to my knowledge; a prisoner by the name of Brown came here a few days before his time expired, and I employed him; this was not Brown the forger; by our contract for furnishing brick to the Custom House, we are to receive \$18 per thousand; we are now furnishing as fast as required at that rate.

SAMUEL. W. HAIGHT.

COMMUNICATION.

To Col. Whiting, Chn. State Prison Com.:

I propose to take \$127,000 for the State Prison contract, payable in seven per cent. bonds. If, however, the payment should be made in eight per cent. bonds, I am willing to allow the State their difference in value.

I will take the original cost of the steam-engine and brick machinery, and the estimated value of the other property, payable in stone and bricks, at their market value. The valuation to be made by three Commissioners—one to be named by the State, one by myself, and the two to name a third.

J. M. ESTILL,

Lessee State Prison.

SACRAMENTO CITY,
March 16th, 1855.

COMMUNICATION.

STATE PRISON OF CALIFORNIA,
Feb. 3d, 1855.

To Mr. A. H. Pillow and Capt. Asa Estes,

Gentlemen:

The Officers and Guards of the State Prison beg leave to represent that they are in a very responsible and dangerous situation.

We are aware that the people of the State expect us to safely keep the State convicts. You are aware there is no adequate means of doing so. If the prisoners escape, we are held responsible, both by the Lessee and the State Prison Inspectors; and if we fall, as we have seen our companions fall in times gone by, in the faithful

discharge of duty, or are made cripples for life, it is without sympathy or regret. Our pay is hardly adequate to our support, and far from commensurate with the risk and great dangers we continually run.

We know you are personally aware of the truth of our remarks, and of the steady and fearful increase of convicts, which but adds to our danger. You also know we are not actuated by any fear, for we have been repeatedly tested under your observation. But we think our pay should be commensurate with our responsibility and danger, and ask, at your hands, the kindness to lay this communication before the Lessee for his consideration.

We wish to say, this is no "strike" or desire to force the Lessee to increase our pay, but to ask his reflection on this whole subject. We wish also to have it understood, that we will not abandon our posts, if the determination of the Lessee is unfavorable—but will stand by him until such time as the Legislature may determine, whether by erecting a wall and other buildings his danger can be lessened and other guards be secured to fill our places.

In justice to ourselves, we could not close this communication without expressing our confidence in the integrity and capacity of the Lessee, whose unflinching determination and calm courage during the most dangerous moments of our existence, has encouraged and sustained us in the performance of our own unenviable duty.

To yourself and Captain Estes, we are pleased to say, we are under many obligations for many acts of kindness, which will be remembered by us with gratitude—but especially your assiduous attentions to your duty, which we have reason to believe has been mainly instrumental in preserving our lives through the many dangers we have passed together at Point St. Quentin.

Very respectfully,

Your obedient servants,

Geo. W. Wood,
Sartial Root,
H. E. Young,
P. C. Carns,
Timothy Rogers,
Geo. White,
Thomas J. Lisle.
John M. Gray,
A. Andrews,
Henry Y. Cabell,

John Gibson,
George Wells,
B. F. Pullen, Capt.,
F. W. Russell,
John McKeurie,
W. Cranmer,
H. Bristol,
Wm. A. Hobbs,
Hiram Cation,
R. E. Russell,

Jas. A. Hopkins.

NAMES OF CONVICTS

Delivered to the State Prison up to November 23, 1854, as far as they appear in vouchers in office of State Controller.

Date.	Name.	County.
1851.		
Dec. 8	Charles D. Brown,	El Dorado.
	John Brown,	Do
	Cyrus Williams,	Do
	George Williams,	Do
	Charles Currier,	Sacramento.
	George Galrun,	Do
	John Fisher,	Do
	Christopher Allen,	Do
	Owen Caruthers,	Do
	T. J. Hodges,	Do
	Joe Muriago,	Do
	Blucher Haskell,	Do
	Nicholas Forbes,	Do
	William Galson,	Do
	Christopher Yacquer,	Do
	James Smith,	Do
	Juan Stephens,	Do
	Antonio Coria,	Do
15	James Wilson,	Butte.
	F. A. Campbell,	Do
13	James Cochran,	San Joaquin.
	James Boland,	Do
	Manuel S. Escaluta,	Do
	Lewis Garcia,	Do
	Jose Valdez,	Do
	Raymond Garcia,	Do
	George Franks,	Do
11	Patrick McManus,	Tuolumne.
	William Lear,	Do
	Jos. Wilfred,	Do
23	John Rowland,	Yuba.
	James Davis,	Do
	S. R. Stanley,	Do
	R. A. Livingston,	Do
	Manuel Aguerra,	Do
15	John Jackson,	Mariposa.

NAMES OF CONVICTS, (CONTINUED.)

Date.		Name	County.
1851.			
Dec.	15	Antonio Valensuelo,	Mariposa.
		Jose Selesar,	Do
		J. C. Arrigo,	Do
	16	Thomas Eagan,	Placer.
		Wm. H. Perrier,	Do
1852.			
Jan.	13	Henry Williams,	Shasta.
		David Dows,	Do
Feb.	18	Lorenzo Amiezca,	El Dorado.
		Benduren,	Do
		F. Berry,	Do
	14	Antonio Neverito,	Colusi,
	20	Wm. Jones,	Mariposa,
March	4	Wm. Edwards,	Shasta,
Feb.	21	John Welsh,	Sacramento,
		Wm. Dean,	Do
March.		John Hall,	Mariposa,
		James Cadile,	Do
Feb.	27	Yankee Jim <i>alias</i> Jas. Robinson,	San Joaquin,
March	23	Antonio Denietro,	Tuolumue,
April	16	Manuel Silvear,	Do
		Hugh B. Hethuty,	Do
	20	John Dougherty,	El Dorado,
		Wm. Cunningham,	Do
	1	James Murphy,	Placer,
	14	Marcellus Gay,	Mariposa.
May	7	Wm. Tabor,	Sacramento.
		Edward Bugbee,	Do
		Robert Dawson,	Do
June	12	Thomas Gillman,	Placer.
		James Bendall,	Mariposa.
	18	John C. Carroll,	Tuolumne.
		Raymond Robalcada,	Do
May	6	Charles Guion,	San Joaquin.
		John Marvin.	Do
June	22	Two State Prisoners,	Trinity.
	18	Marco Costelles,	Calaveras.
April	11	Wm. Knight,	San Luis Obispo.
	13	Jothom W. Curtis,	Sutter.
July	1	One Convict,	Sacramento.
June	29	Thomas Brown,	San Joaquin,
		E. Rodriques,	Do
		C. Ribera,	Do
July	8	Fleming Mopping,	San Francisco.
		W. H. Hawkins,	Do
		Agnes Reed,	Do
		John Hawkins,	Do

NAMES OF CONVICTS, (CONTINUED.)

Date.	Name.	County.
1852.		
July	8 Jos. Francis,	San Francisco.
	Manuel Antonia,	Do
August	9 Y. Valenzuela,	Mariposa.
	18 Diego Flores,	Solano.
	14 James W. Clark,	Calaveras.
	25 Trinidad Pacheot,	Tuolumne.
	20 Salidino Peraqueto,	Do
	Gregino Sequeranda,	Do
July	3 Manuel Gorse,	Contra Costa.
	Marco Soto,	El Dorado.
	Hiram Quimby,	Do
Sept.	1 Jas. G. Loring,	San Diego.
	Wm. Harris,	Do
	20 Thos. Fuller,	Napa.
Oct.	15 Jose Gonzales,	Mariposa.
	Wm. Rives,	Do
	Juan Perez,	Do
	Dan Carlos,	Do
	Robt. Smith,	Do
	14 Geo. C. Bradley,	Nevada.
	Chas. Smith,	
	Jas. Hoover,	
	Juan Moran,	Los Angeles.
August	21 Chas. D. Farris,	San Francisco.
Oct.	20 Pedro Ansa,	Siskiyou.
	22 Mateo Andrade,	Monterey.
Nov.	10 Wm. Taylor,	Sierra.
	13 Ternin Cruz,	Taoulumne.
	A. Hanson,	Do
Oct.	28 Geo. H. Swift,	El Dorado.
Dec.	15 Jos. Sunderland,	Calaveras.
	Antonio Fernando,	Do
	Chas. N. Davis,	Do
	22 Peter Ord,	Shasta.
	21 Jas. Murphy,	Placer.
	John Wilson,	Do
	John W. Kelly,	Do
1853.		
Jan.	1 Pedro Gonzales,	Mariposa.
	Jose Maria,	Do
1852.		
Dec.	25 Narcissa Gialeman,	San Joaquin.
	Jacob Williams,	Do
Sept.	23 John Wright,	Butte.
Dec.	31 T. J. Jones,	Nevada.
	John Gordon,	Do

NAMES OF CONVICTS, (CONTINUED.)

Date.		Name.	County.
1853.			
Jan.	1	John Miller <i>alias</i> Dutchy,	San Francisco.
1852.			
Dec.	21	P. Ramirez,	Do
	4	John H. Green,	Do
	1	Pasquel Canillo,	Do
Nov.	8	Chas. Alwin,	Do
		Dolores Martinez,	Do
		Lilly C. Smith,	Do
		Henry Smith,	Do
		Geo. H. Darrah,	Do
Sept.	29	Amenas McGarley,	Do
		Richard Elliott,	Do
		Joseph Kuhn,	Do
Dec.	29	Thos. Dowell,	Trinity.
1853.			
Jan.	15	Chas. T. Wingfield,	Tuolumne.
		W. H. Wingfield,	Do
		Geo. C. Bridges,	Do
		Francis Perez,	Do
Feb.	14	Roman Rangel,	Monterey.
1852.			
Sept.	4	Jos. Sweet,	Sacramento.
		Carmeno Nunez,	Do
		Gavier Gonzales,	Do
1853.			
Feb.	28	Nathan Deming,	Nevada.
		Richard Hohues,	Do
		Wm. Deming,	Do
		Chas. Davis,	Do
		Geo. Deming,	Do
	23	Jose Quivalez,	Mariposa.
		Alexander Miclon,	San Joaquin.
		J. C. Swinbith,	Do
		Alex. Vanderstraburg,	Do
		Martinez Roderiquez,	Do
		Manana Gregblin,	Do
Nov.	19	Ignacio Roono,	Yuba.
		Jack Fairrow,	Do
		Geo. M. Fairrow,	Do
March	18	John Williams,	Sacramento.
		John G. Elversan,	Do
	4	Wm. Hunger,	El Dorado.
		Ahing,	Do
		Amoi,	Do
1852.			
Nov.	15	Rodiriquez,	Santa Clara.
		Thos. Durdan,	Do

NAMES OF CONVICTS, (CONTINUED.)

Date.		Name.	County.
1852.			
March	15	Casimero Lara,	Santa Clara.
1853.			
April	11	Saml. Hall,	Shasta.
	14	Geo. W. Hice,	Calaveras.
	16	Juan,	Los Angeles.
		Henry King,	Do
	14	Robt. Pattern,	Placer.
		John Twitchler,	Do
		Wm. Smith,	Do
		F. P. Monson,	Do
		Wm. Moresen,	Do
		Chapman Bethell,	Do
May	5	Pasquel Carrillo,	San Luis Obispo.
April	18	Richard Watkins,	San Joaquin.
		Wm. Davis,	Do
		Jose Sepulvera,	Do
		Richard Murphey,	Do
		Wm. V. Eveus,	Do
		Wm. Powers,	Do
1852.			
July	3	John Francis,	Calaveras.
1853.			
May	16	Henry Jansen,	Nevada.
April	19	John Sullivan,	San Francisco.
March	9	Lewis Goddiot,	Do
		John Hartley,	Do
	7	Juan Ruiz,	Do
		Francisco Vera,	Do
	9	Isaac Lery,	Do
	7	John Campbell,	Do
Feb.	7	Henry Pitt,	Do
Jan.	17	Felicine Serrano,	Do
		Henry Howard,	Do
		Richard Smith,	Do
March	9	John Brood,	Do
		Thos. Henry,	Do
Jan.	17	Wm. Morris,	Do
May	18	Abner Bishop,	Do
		Raymond Palachio,	Do
		Ahoy,	Do
		Stewart Butler,	Do
		Alum,	Do
May	10	Andrew Austin,	Santa Clara.
		Danl. Sales,	Do
June	17	John Arrington,	Trinity.
		John Arrington,	Do
	15	Wm. White,	Placer.

NAMES OF CONVICTS, (CONTINUED.)

Date.	Name.	County.
1853.		
June	15 Wm. Fleck,	Placer.
	19 John Cahill,	Calaveras.
	Jean B. Michael,	Do
	Wm. Thompson,	Do
	Lester Imperial,	Do
	Saml. McClintic,	Do
	Dennis Orton,	Siskiyou.
April	Jesns Raeno,	Santa Clara.
	David B. Pierson,	Do
July	11 Jesus Pecardillo,	Mariposa.
	Fernern Baldez,	Los Angeles.
	13 John Sebastian,	Calaveras.
August	2 G. F. Hendry,	Sacramento.
	John Branden,	Do
	Wm. Carter,	Do
	E. H. Conner,	San Joaquin.
Jnne	23 M. F. White,	Do
August	2 Jas. Atkins,	Do
	H. A. Stevens,	Do
	W. J. Henry,	Do
June	23 Wm. Turner,	Do
August	8 Wm. Hartley,	Placer.
	11 James Ervin,	Mariposa.
	J. D. Loring,	Do
	Jas. Luck,	Do
	Saml. Cohen,	Do
	Wm. Williams,	Do
	Y. Valensuelo,	Do
	17 Hiram Durham,	Calaveras.
	12 Rafel Galenti,	Monterey.
	18 Thos. Brown,	Siskiyou.
	30 Saml. Lago,	Tulare.
	31 Emanuel Cheviarias,	Sacramento.
	Jas. Hodden,	Do
	L. E. Cushman,	Do
July	27 Wm. Thompson,	San Francisco.
	Feliciano Guarro,	Do
	John Legg,	Do
June	20 Marian Wilson,	Do
	Wm. Sanders,	Do
August	18 John Maguin,	Do
	19 Geo. Wright,	Do
	Wm. Powers,	Do
	Jack Bowen,	Do
	P. Montagu,	Do
	6 Alex. Freeman,	Do
	Clinton Taylor <i>alias</i> C. L. Taylor,	Do

NAMES OF CONVICTS, (CONTINUED.)

Date.	Name.	County.
1853.		
August	8 Victor Contrearacion,	San Francisco.
	Peter Mahan,	Do
June	20 Thos. O'Neal,	Do
	Jose Palajo,	Do
Oct.	17 Salzero,	Calaveras.
	15 Montague Lyons,	Sierra.
	31 Juan Garcia,	Tuolumne.
	David Duncan,	Do
	Francis Medina,	Do
	Jas. Pool,	Do
	Mannuel Parrara,	Do
	James Wallman,	Do
	Jesus Santo,	Do
	19 Ni Yai,	San Joaquin.
	Danl. McMillan,	Do
	1 Chas. Crane,	Sacramento.
Nov.	8 1 Convict,	El Dorado.
April	26 Wm. G. Comstock,	Sonoma.
Oct.	10 Antonio Gonzales,	Mariposa.
	Lewis Frank,	Do
	29 Chas. Lay,	Placer.
June	9 Jose Garcia,	Contra Costa.
Nov.	14 Geo. Riley,	Sacramento.
	7 Jas. McNulty,	Do
	Jas. Camanche,	Do
May	25 A. H. Herbert,	El Dorado.
Dec.	2 Jesse Bennett,	Do
	7 John Anderson,	Sacramento.
	27 Domingo,	Santa Barbara.
	22 Wang You Fou,	Calaveras.
1854.		
Jan.	3 Timothy Donovan,	El Dorado.
	Thos. Ashton,	Do
	Johu Gustavus,	Do
	4 John H. Harper,	Butte.
	Henry Garthoff,	Do
1853.		
Dec.	29 John Knipley,	Monterey.
1854.		
June	21 Wm. Robinson,	Sacramento.
	Geo. Gruff,	Do
	Miles Hoadley,	Do
	E. H. Hoadley,	Do
Feb.	6 Pablo Massey,	El Dorado.
	Rolaud Hughes,	Do
	John Schmidt,	Do
March	22 5 Convicts,	Mariposa.

NAMES OF CONVICTS, (CONTINUED.)

Date.		Name.	County.
1854.			
Feb.	28	Jas. B. Gates,	Sacramento.
March	22	Jim Cony,	Do
		Wm. Peters,	Do
		Thos. Mitchell,	Do
		Joshua N. Giddings,	Do
Feb.	19	Robt. Warren,	Calaveras.
		D. W. Duncan,	Do
March	9	Jose A. Rodriquez,	Los Angeles.
	8	John R. Hammond,	Yuba.
		Edmund Coy,	Do
		John Wright,	Do
		Thos. Fielding,	Do
April	4	Peter Nicholas,	Tuolumne.
March	9	Whitman Valentine,	Do
		Jose Rylas,	Do
		John Mondih,	Do
Feb.	19	Wm. Ogley,	San Joaquin.
		John J. Ogley,	Do
April	10	Manacia Moreno,	Los Angeles.
		Wm. Brown,	Monterey.
		1 Convict,	Solano.
	15	Jesus,	Mariposa.
	13	Frank Wilcox,	Yuba.
		John Caldwell,	Mariposa.
		Thos. Mancello,	Do
May	7	John Brown,	Sacramento.
		Philip Arnest,	Do
		Peter Barton,	Do
		John Berger,	Do
		Geo. Humphries.	Do
	17	J. R. Weldon,	El Dorado.
		Isan,	Do
		Henry F. Laurant,	Do
		J. R. Guthrie,	Do
	24	Horace Brewster,	Placer.
		John Carey,	Do
June	3	John Conner,	Siskiyou.
		Francisco Abarro,	Do
	19	N. E. Johnson,	Butte.
		John Johnson,	Do
	22	Damasio Perez,	Calaveras.
		C. Monico,	Do
	24	J. C. Barelaz,	Los Angeles.
July	6	Raphail Martinez,	Yuba.
		L. Ballarto,	Do
June	12	J. A. Marshal,	Do
		Cyrus Peters,	Do

NAMES OF CONVICTS, (CONTINUED.)

Date.	Name.	County.
1854.		
May 29	John Henderson <i>alias</i> Boyle,	Sierra.
June 21	Edward Campbell,	San Joaquin.
	John Robinson,	Do
May 25	Pedro Madria,	Contra Costa.
	Francis Padell,	Do
	Mark Israel,	Do
	Jacinto Zaniga,	Do
	Sebastin Buteria,	Do
	Pedro Riez,	Do
June 12	Andrew Rombo,	Do
August 4	Juan Chapo,	Los Angeles.
	11 Henry M. Knox,	San Joaquin.
	14 Henry Dobbar,	Solano.
	15 Wm. LeCount,	El Dorado.
	John G. Aldrich,	Do
	John W. Potts,	Do
Aug. 15	Cullin Douglas,	Do
	Wm. Hurlbert,	
	20 Chas. Cardon,	Yolo.
	17 Pasquel Guergo,	Mariposa.
	Maria Gonzales,	Do
	21 Jos. Malcomson,	Yuba.
	Jacob Kinsey,	Do
	25 Wm. McCan,	Calaveras.
	Wm. Courtney,	Do
	Peter Miller,	Do
	Jas. Low,	Do
	31 Ah Wah,	Sacramento.
Sept. 14	A. Edwards,	Placer.
Aug. 11	Sacramento Valenzuelo,	Contra Costa.
Sept. 24	John Dean,	Siskiyou.
	John Gallagher,	Do
	Clark Curry,	Do
Oct. 2	John Porter,	Sacramento.
	C. G. Smith,	Do
	Henry A. Stephens,	Do
	Jas. R. Atkins,	Do
Sept. 9	Jas. Goodine,	Butte.
Oct. 18	Robt. D. Wilmot,	Yuba.
	Wm. Bryant,	Do
	A Yon,	Do
	20 Geo. Sullivan,	Nevada.
	18 John Auch,	Sierra.
	27 We Sing,	Placer.
	5 Jas. Newland,	Solano.
	28 John Smith,	Sacramento.
August 15	Henry Harper,	Tnolumne.

NAMES OF CONVICTS, (CONTINUED.)

Date.	Name.	County.
1854.		
Aug.	15 Francis Brown,	Tuolumne.
Oct.	14 Lude Fernaspen,	Do
Nov.	3 B. C. Smith,	Trinity.
	8 James Graham,	Sacramento.
	David Hermathy,	Do
	John McClelland,	Do
	James Minturn,	Do
	Ervin Payne,	Do
	Chas. Stevans,	Do
	P. Davidson,	Do
	S. T. Cochran,	Do
	7 Geo. Dashwood,	San Francisco.
	22 Manuel Valdineso,	Do
	Chas. Massenger,	Do
	John Andrew,	Do
Oct.	29 Henry Hensley,	Do
Nov.	7 Saml. Barker,	Do
Oct.	29 M. Campbell,	Do
	Wm. Hall,	Do
	Geo. Taylor,	Do
Nov.	7 Alex. Williams,	Do
Oct.	22 Wm. Harrington,	Do
	Geo. Williams,	Do
Nov.	22 Henry Smith,	Do
Oct.	22 Michael Hunt,	Do
	John Savage,	Do

REPORT OF THE SPECIAL COMMITTEE.

Mr. Speaker :

The Special Committee on State Prison, in obedience to the instructions of the Assembly requiring them, in conjunction with a special Committee appointed by the Senate, to visit the State Prison and examine into the condition and management of that institution, have performed that duty, and respectfully ask leave to make the following report :

In consequence of the various rumors which had obtained circulation in connection with the condition and management of the State Prison, your Committee deemed it their duty, after a personal inspection of the Prison and Prison grounds, to call before them witnesses and make a thorough investigation as to the correctness of these rumors, and also to ascertain what was the cause the of numerous escapes of convicts from the Prison. We have also collected a great deal of testimony as to the profit or loss of the present lessee of the State Prison by the prison labor, and as to the possibility of making that institution support itself or become a source of revenue to those who are entitled to the labor of the prisoners. From this mass of testimony, your Committee are forced to the conclusion that the system at present practiced by the lessee is seriously objectionable, and wholly fails to accomplish the great object which should be aimed at by the establishment of a State Prison, namely, the certainty of punishment, according to our criminal code, and the moral reformation of the convict.

In consequence of the peculiar management of the convicts, and the police regulations of the Prison, it was difficult to obtain perfectly satisfactory evidence of the number of convicts now confined in the State Prison. We place the number, however, at three hundred and thirteen. The Inspectors estimate the number, at the date of their report of January 30, at two hundred and seventy-five, while the lessee, J. M. Estell, in his report to the Legislature, dated January 28, states the number as over three hundred. From this evidence, together

with such information as we could gather at the Prison grounds, we set down the number as above stated. Since the visit of your Committee to the Prison, we are informed that about fifty new convicts have been received, making the number, at this time, three hundred and sixty-three. Near one half of these prisoners are worked at Marin Island, in the Bay of San Pablo, about two and a half miles from the Prison. The others are engaged at the Prison, and in running vessels to San Francisco, transporting stone and brick, and in getting wood from the hills with which to burn brick kilns. The convicts are required to labor from sunrise until sunset, except the time necessarily engaged in eating their meals.

Although there was some complaint among the convicts as to the kind and quality of food and clothing, yet your Committee believe that they have no just ground for complaint in this particular. The health of the convicts seemed to be remarkably good. In accordance with the provisions of an Act passed May 15, 1853, a Prison has been erected, with forty-eight cells on the second story, which, by the present arrangement of the lessee of confining four prisoners in a cell, will safely confine one hundred and ninety-two. The lower story is divided into an office, guard-room, and long room in which prisoners are confined. The Prison is a very substantial building, and altogether safe for the confinement of prisoners at night. Those engaged at work on Marin Island are confined at night on board of an old brig, which is firmly secured to the shore. Although not as securely confined at night as those at the Prison, yet their insular position banishes the idea of escape from their minds, unless they can get outside aid to procure boats with which to leave the island. Although a partially successful revolt occurred in December last, by which twenty-two prisoners secured a boat and escaped, yet we believe with ordinary care the convicts can be more safely confined on this island than at the State Prison.

It would be exceedingly dangerous to keep all the convicts at the State Prison at the present time. There is prison room for but little more than half of them, and it is feared that so large a body of convicts thrown together, without sufficient means of confinement, would be the signal for a revolt, which, unless the guards be greatly increased, would, in all probability, be successful.

The lessee has under his employ about thirty men, who act as officers and guard. This number is not, in the estimation of your Committee, sufficient to suppress a revolt with certainty, and this number, when divided between the Prison and the island, does not present that formidable appearance to the convict which would discourage them from any attempt at an outbreak. It is the custom of the lessee to send six, eight or ten prisoners to the woods to procure wood with but a single guard. Escapes frequently occur while out in these parties. Prisoners have been sent out from the Prison to work on a ranch, with and without guard. But the most of the escapes are occasioned by the adoption of a system denominated the "trustie system." By this system a prisoner whose term of service is about expiring, or who has behaved well, or has been recommended to the lessee as a gentleman and a man of good standing and family, is permitted to do light work, to be kept separate from the mass of prisoners, to go on errands for miles in the country, on foot or on horseback, alone; to go to San Francisco; to sleep without the guard at the cook-house, off the Prison grounds, and other liberalities which are frequently taken advantage of to escape. It is believed that most who are now at large have escaped by this "trustie system." Although we are not prepared to entirely condemn the "trustie system" as such, yet it requires the exercise of the best judgment to know who to trust. It is sometimes advantageous to have some among the prisoners who will aid in giving information concerning rebellions and efforts at escapes, and to assist in suppressing revolts. The use of this system has been and may be

serviceable, but it should be exercised with caution, and not to that extent that has been practiced in our State Prison.

There are few men who have been sentenced to the State Prison—no matter for what offense, no matter what may have been their former character—who, when an opportunity is offered them to escape by stepping on board of a ship bound from our shores, would not take advantage of it and thus regain their liberty. From the numerous escapes that have been effected under cover of this system in this State, we cannot but recommend that it be discontinued, as far as they are allowed to leave the Prison grounds, and that those selected within the Prison grounds shall be selected with the greatest care.

The convicts at the Prison are engaged in making brick on grounds adjoining the Prison grounds, which are well adapted for the purpose, and under the control of General Estill. Those at Marin Island are engaged in quarrying stone from an excellent quarry, which, we understand, is owned by General Estill.

The Committee having ascertained the present market value of brick and stone in the City of San Francisco, and the quality that can be furnished by convict labor, are well satisfied that, with ordinary energy and judgment, the institution can be made not only a self-supporting institution, but even profitable. Yet the Committee are assured by the lessee that he has lost, by keeping the State prisoners under his present contract, \$127,000. These losses, he informs us, occurred in consequence of bad management in the prison matters, and that only in the last six months has he been able to make any profit on the prison labor. He has now favorable contracts for furnishing bricks and stone in the City of San Francisco, and that he has realized \$45 000 profit in the last six months.

From evidence, your Committee believe that, with ordinary care, a profit of one dollar per day to the convict may be realized, over and above all necessary expenses, such as food, clothing, guards and working tools. Estimating the number of working convicts at three hundred, we have, by this calculation, \$1,800 per week, or \$97,200 clear profit per year. This calculation is made upon the supposition that favorable contracts can be made for the delivery of bricks and stone in the City of San Francisco, or at a place no further from the Prison.

The general management of the prison, in the opinion of your Committee, is not such as it should be in order to secure the safety of the convicts. Many regulations might be made, even under the present contract, which, we think, would insure more certainly the security of the convicts. The rules and regulations of the guard are not sufficiently systematic, nor are they sufficiently stringent upon the guard and officers. Liquor has been used to excess among the guard and officers. Prisoners themselves have been allowed liquor by the guard in some instances. The convicts are not required to dress in uniform, but to retain the clothes worn by them when brought to the Prison; so it is difficult to distinguish a convict from one of the guard. Their heads are not required to be shaved regularly, nor are they required to change their clothes as often as cleanliness would require. We believe that if a system of uniformity of dress (which, by its peculiarity, would attract attention) would, if adopted, tend to prevent escapes; and if the heads were required to be shaved once a week, the escaped convicts would be recognized, and their arrest would be facilitated. It is proper to remark, however, that so far as these rules affect the police regulations of the Prison, their establishment was the duty of the Inspectors of the State Prison, and the lessee would have been compelled to comply with them. In consideration of these numerous defects in the government and discipline of the Prison, by which so many escapes were effected, and, also, in consequence of want of sufficient room at the Prison and Prison grounds, by which the con-

viets could be made secure, we made it a part of our duty to investigate the remedy the State might have to correct themselves, retaining the contract with General Estill, the present lessee, or by dissolving the present connection between the lessee and the State and making such radical improvements both in discipline and buildings, as will protect our citizens and insure the security of the convicts.

The law of 1851, made General J. M. Estill and M. G. Vallejo the lessees of the State Prison for ten years. In 1852 the Legislature, by a special Act, released M. G. Vallejo and made J. M. Estill the sole lessee under the Act of 1851, upon his filing his bond in the office of the Secretary of State to be approved by the Governor, in the sum of \$100,000; which conditions the said Estill has complied with. A copy of said bond is herewith reported, marked "Exhibit A." The said law of 1851 is a contract entered into between the State and the lessee, and the law regulating the construction of contracts generally must apply to this. By this law the lessee has, for ten years, the sole charge of the convicts sentenced to the State Prison. He is required to "feed and clothe the prisoners, and pay all other necessary expenses, as that for guards and tools to work with; to prepare suitable temporary buildings upon the grounds herewith leased, or shall have suitable and secure prison ships or vessels, properly arranged for the health and security of the convicts, until the State *shall build the State Prison.*" It then, in a provision to the seventh section, states that "this Act shall not be so construed as to confine the labor of the prisoners within the walls of said Prison, *or to any particular place or labor.*"

We believe that the Legislature is bound to the contract as it is made; that the Legislature has no right to alter or change that contract in any material point, so as to require any additional expense in keeping prisoners, or by which their labor would be made more unprofitable to the lessee without the consent of said lessee. That if the lessee had violated the contract so as to work a forfeiture of the contract, that we could not, by a legislative Act, annul said contract, but that our remedy would be entirely judicial. In order to satisfy ourselves more perfectly as to the correctness of these positions, we addressed a series of interrogatories to the Attorney General, and received an answer from him in which he sustains the position above laid down. The communication of the Attorney General is reported as exhibit B, and made a part of this report.

From the construction placed upon the statutes of 1851, your Committee are not satisfied, from the evidence, that the lessee has violated his contract in so material a point as to work a forfeiture before any court of justice, but from the peculiar wording of the statute it seemed to be the object of the Legislature to give every advantage to the lessee, in order to enable him to keep the prisoners safely, and at the same time to make it a source of profit to himself. We are of the opinion, therefore, that the Legislature could not compel the lessee to clothe the convicts in uniform, or shave their heads, or increase or in any way regulate the guards, or require any additional temporary building, or forbid the "trustie system," or require him to work the prisoners within the prison walls or on the prison grounds.

In view of all these positions, and the great necessity that exists for additional buildings on the State Prison grounds, for the safety and security of the convicts, your Committee have concluded to recommend to the Legislature to buy the said lease from the said James M. Estill. In answer to a resolution adopted by the Committee, the said lessee agrees to sell his said lease to the

State for the sum of \$100,000, which proposition we submit to the Legislature and recommend that it be accepted, and that a bill prepared by the Committee and herewith reported for that purpose, be passed.

We are induced to make this recommendation for the following reasons: The urgent necessity for additional prison room is not only apparent to your Committee, but to the whole community; it is required by every consideration of reason and justice. As the convicts now are, they may at any time, by a successful revolt, be cast loose upon society, and the probability of their escape is so apparent to the citizens of the country adjoining the prison, that they live in constant fear, and as testimony shows, the price of real estate in the surrounding country has been materially reduced in consequence thereof.

The lessee cannot, in our opinion, be compelled to build additional buildings on the prison grounds; it remains, therefore, the duty of the State to build this additional prison room. To make an appropriation and let out the building of said prison by contract, would, in the estimation of your Committee, require the sum of at least three hundred and fifty thousand dollars.

While we recognize the necessity of these improvements, we are not prepared, in the present exhausted state of our Treasury, to recommend so large an outlay of money, but by the purchase proposed the State becomes again the sole owner of the prison labor, which, under proper management, can and should be required to do this work, thereby saving to the State a very great outlay of treasure. From the report of the Inspectors, we are informed that there is every kind of mechanics among the convicts, and some as well skilled in mechanism as can be found outside of the prison walls. Under a system which your Committee is now prepared to recommend, this convict labor will be applied to the erection of these additional prisons, and their completion effected as soon by this means as by letting it out by contract, and certainly at not more than one-third of the expense. We, also, in accordance with the proposition of the lessee above referred to, recommend that the property attached to the prison, and necessary to the labor of the convicts, be purchased at a price to be affixed by appraisers, two appointed by the Legislature and one by the lessee, payable in brick and stone in San Francisco, at market prices.

The property here referred to consists of the necessary working tools for blasting and dressing stone, brick machinery, machine shop and steam engine, together with sixteen acres of land lying adjacent to the prison grounds, and upon which is situated the brick yard and dining room for the convicts, with other necessary buildings thereon. This purchase we deem necessary to the successful and convenient working of the convicts.

Should the plan here suggested by the Committee be adopted, and the convicts of the State Prison be placed under the supervision of a warden or superintendent, we would not recommend that all the prisoners be removed forthwith to the prison ground, for fear of an outbreak, but that one-half be engaged elsewhere in making bricks and quarrying stone, with which to pay for the property purchased in accordance with the agreement made with the lessee in the resolution and answer above referred to, which said resolution and answer is herewith submitted, marked exhibit C.

Your Committee, in the course of their investigation, made some inquiry concerning the title the State has to the twenty acres of land on Point San Quentin, on which the prison is located, purchased from B. R. Buckelew, in pursuance to an Act passed May 1, 1852, depends on a Mexican grant, which said grant has not yet been confirmed, but are assured by the lessee that if said grant should not be confirmed, that he holds the pre-emption claim to the same, and that he will make a title to the State as soon as a title from the General Government can be obtained. Although we do not believe the location as good as might have been selected, yet, after so large an outlay of money as has been expended upon that ground, we are

not disposed to recommend a removal of the prison, if good title can be obtained to the land purchased of Mr. Buckelew.

The Committee are preparing bills in connection with the prison and concerning the future government of that institution, which bills they will present as soon as the bill herewith reported shall have passed.

All of which is most respectfully submitted,

JNO. T. CRENSHAW,

Chairman Senate Committee.

G. W. COLBY.

ASA KINNEY,

Chairman Assembly Committee.

E. J. CURTIS,

WM. A. DANA,

H. P. A. SMITH.

B. C. WHITING,

Chairman Select Committee.

S. DAY,

H. P. HEINTZELMAN.

A P P E N D I X .

EXHIBIT A.

Know all men by these presents, that we, James M. Estill as principal, and John McDougal, John S. Fowler, Martin E. Cook and B. Frank Keene, as securities, are held and firmly bound unto the people of the State of California, in the sum of one hundred thousand dollars; to the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators, severally and jointly, firmly by these presents, sealed with our seals, and dated this fourth day of May, A. D. 1852.

Now the condition of the above obligation is such, that, whereas, by an Act approved April 10, A. D., 1852, it is provided that the above mentioned James M. Estell shall be constituted sole lessee of the prison, prison grounds and prisoners of the State, according to the terms and condition of "An Act providing for the securing the State Prison Convicts," approved April twenty-fifth, one thousand eight hundred and fifty-one, upon his filing a bond with the same sureties and the same conditions as the bond required by the Act last aforesaid.

Now, if the said James M. Estell shall faithfully perform all the duties of such lessee as required by law, and shall hold the State free from every expense for the subsistence, clothing, security and safe-keeping of State Prison Convicts during the continuance of such lease, then the above obligation to be void otherwise to be and remain in full force and effect.

JAMES M. ESTILL,	[L. s.]
JOHN M. McDOUGAL,	[L. s.]
MARTIN E. COOK	[L. s.]
JOHN S. FOWLER,	[L. s.]
B. FRANK KEENE,	[L. s.]

Approved May 5, 1852.

JOHN BIGLER

A true copy from the original.

J. W. DENVER,
Secretary of State.

EXHIBIT B.

ATTORNEY GENERAL'S OFFICE, }
 March 12, 1855. }

Hon. J. T. Crenshaw, Chairman Senate State Prison Committee :

SIR—

Your communication of the 8th inst., containing the following questions for my official consideration and answer, is before me.

First. Has the lessee of the State Prison the right under the contract made with the State, to work the prisoners at Monterey, at Mariposa, or at any place away from the prison or the prison grounds, or to send them on errands.

Second. In case of a violation of the contract on the part of the lessee, can the Legislature, by an Act, declare the contract forfeited, or is the remedy entirely judicial?

Third. Can the Legislature, by Act, in any manner compel the lessee to clothe the convicts in uniform, or prescribe the kind or quantity of clothing or food, or establish regulations of the prison by which the price of keeping prisoners would in any manner be increased?

Fourth. Can the Legislature in any manner amend the law of 1851 so as to compel the present lessee under that law, to work the prisoners in the State Prison, or on the State Prison grounds?

The Act providing for "securing the State Prison Convicts," passed April 25, 1851, is a contract between the State and the lessee of the State Prison, and must be construed by the ordinary rules of construction applicable to contracts. It is liable to the objection of being loosely drawn, and apparently contradictory. The spirit of the Act being, as I conceive, repugnant to its letter.

It is scarcely probable or possible that the framers of the law intended that the lessee should have the privilege of transporting State prisoners to any great distance from the prison grounds and there work them; yet a literal construction of the proviso of section seven of the Act would give him that power. This construction, however, I conceive, would render inoperative and nugatory all the other provisions of the Act, for what would be the necessity for a State Prison, located at a particular point, wherein to confine prisoners, if the lessee can remove and keep them at any place in the State, with no guaranty for their safe keeping but his own discretion.

One of the most obvious and wholesome rules of construing statutes, is to put such construction on them "that one clause shall not frustrate and destroy, but on the other hand, explain and support another; sound exposition requiring effect to be given to every significant clause, sentence or word in a statute."

Applying this rule in the present case, I am of the opinion that the proviso referred to, means no more than that the lessee shall not be compelled to work the prisoners in the prison or even in the prison grounds, but shall have the

power to work them at such a distance from the grounds as shall be consistent with their safe confinement. What is such a distance, is a question more for the consideration of the parties to the contract than for mine.

In reply to your second inquiry, I am clearly of the opinion that [the Legislature has no power to repeal the Act, and declare the contract at an end, without the consent of the lessee.

It is a contract of the most solemn character, by which the State is as much bound as an individual would be in a similar case. It has been partly performed, and is continuing to be performed.

The question whether the lessee has performed the conditions imposed on him by the Act, is strictly a judicial one, and as the Legislature has, under our Constitution, no judicial powers, an Act declaring the contract rescinded, would have no other efficacy than as a mere expression of opinion by that body. Whether a court of equity would, upon a suggestion of non-compliance with the conditions of the Act, be warranted in decreeing a rescission of it, is a question I do not think is embraced in your inquiries, and, therefore, I will not give any opinion upon it.

As to your third inquiry, I am of the opinion that, under the seventh section of the Act, the inspectors have ample power to make such regulations about clothing, food, etc., as shall be necessary for the health, safe-keeping and cleanliness of the prisoners, subject to the proviso referred to above. This power of the inspectors is delegated to them by the Legislature, but the Act of delegation itself is a part of the contract, and cannot be rescinded by the State without the consent of the lessee.

I do not think the Legislature has the power in any manner to change the law in a material point, or to impose any duties on the lessee, not contemplated by the Act as it originally passed, without his consent.

The remedy for the State is either by a suit on the bond given by the lessee to secure the faithful performance of his duties, or by a bill in equity (provided the courts will entertain it) to procure a rescission of the contract.

J. R. McCONNELL,
Attorney General.

EXHIBIT C.

Resolved, That John T. Crenshaw, a member of this Committee, be authorized to state to James M. Estill—

First. That the Committee on behalf of the State cannot give any encouragement that the State will accept his proposition, dated March 16, 1855, made by him.

Second. That the Committee will recommend to the two branches of the Legislature to purchase the State Prison contract, and pay therefor one hundred thousand dollars, in State bonds, payable in ten years from the date of their issue, with semi-annual interest at the rate of seven per cent. per annum.

Also, that the State purchase the sixteen acres of land belonging to the brick yard, the engine, brick machinery, and other valuable improvements, at their appraised value, to be appraised by three Commissioners, one Commissioner to be appointed by General Estill, and the other two to be elected by a joint convention of the two branches of the Legislature. All this property to be paid for by the State in brick and stone manufactured or worked by the convicts, to be delivered at San Francisco at market prices.

B. C. WHITING.

SACRAMENTO CITY, March 18, 1855.

Chairman Committee on State Prison :

SIR :—

In answer to your communication of yesterday, I will say I could, by a sale to other parties, or by hiring out the prisoners to contractors, make a much larger amount of money than by the acceptance of the terms proposed by the Committee ; but I am fully persuaded the convicts cannot be kept safely with the present means for their confinement.

If the Committee would recommend an appropriation to build the Prison and Prison walls, I would greatly prefer holding the present contract ; but, having been assured by yourself there is no probability of such a recommendation, and fearing, from the exposed condition of the Prison, a successful revolution might occur whilst I am responsible, I am compelled, reluctantly, to accept the terms proposed to be recommended by the Committee in Mr. Whiting's resolution.

I am, very respectfully, yours,

J. M. ESTILL,
Lessee State Prison.

[Document No. .]

IN THE ASSEMBLY.]

[SESSION OF 1855.]

REPORT OF COMMITTEE

ON

INTERNAL IMPROVEMENTS,

ON

ASSEMBLY BILL, NO. 16.

B. B. REDDING, STATE PRINTER.

REPORT OF COMMITTEE

ON

INTERNAL IMPROVEMENTS.

The Committee to whom was referred a Bill for An Act to construct a Wagon Road from the Sacramento Valley to the Eastern Boundary of the State, having had the same under consideration, beg leave to report as follows :

That they have had much difficulty in arriving at anything like satisfactory conclusions of the manner of obtaining the end sought. All see the necessity of such a road, and but few doubt its practicability. The immigration to the Pacific demands it ; our progress and prosperity as a State demands it ; the exorbitant price of passage on the ocean steamers demands it ; our connection with the rest of the Union, our safety in war and subsistence in dearth, demands it. Yea, everything demands it, and demands it now ; but how to get it is the difficulty.

In the first place, we have not that unanimity in our own councils that should prevail. Men are differing. The various sections of the country are advocating not only different modes of constructing the road, but different routes upon which to construct it. The people of the north desire a northern route ; the center, a central route ; and the south, a southern route. Some think that private enterprise, with a little assistance from the State, would build a toll road ; others think the State should construct it entire, and let it be free.

All these difficulties can be easily overcome, we apprehend, except the one as to the most convenient practicable route.

Our State is so new and unsettled, its mountain gorges and cañons are so little explored, and its waste places and deserts so little known, that your Committee have not been able to agree unanimously upon any particular route.

The first route which occupied our attention was the one called Noble's Pass. Those who have traveled it, represent it as being a very excellent pass, particularly for summer travel. The distance through that pass from the Sacramento Valley to the Humboldt is about two hundred and fifty miles. The ascent of the Sierra Nevada either way is very gradual, and requires little or no grading. There is an abundance of grass on this route for the stock of a large immigration. Water is not so abundant, there being frequent scopes of country from twelve to eighteen miles in which there is a scarcity of water. The highth of this pass is represented to be between four and five thousand feet above the level of the sea.

The objections to this route are, that it is too far north ; that the immigration

will not wish to take it, because it is too far north, and much further than the great majority will like to travel to reach their destination.

We have been told that a Mr. Jenkins proposes to make a good wagon road over that route, for the sum of ten thousand dollars. Major Corponing, United States Mail Agent at Salt Lake, says that it will take a much larger amount, and that it will then be impassable for a great portion of the year on account of snow.

The next route coming south which occupied our attention, is called Beckwith's.

This route will leave Marysville and go by Bidwell and the American Valley into Beckwith's Valley; or leaving the same place, will go by Gibsonville through Beckwith's Valley, down the Truckee, across the desert to the Humboldt. Stages run daily from Marysville to Bidwell, a distance of thirty miles, and of course the road will need but little work or outlay to make it a good wagon road that far. From Bidwell to the American Valley, a distance of about seventy miles, there is now what is called a good mountain road, but will need much improvement to make it such a road as is contemplated by the Bill. Over this portion of the way, it is said private enterprise will run a line of stages next spring. From the American Valley the road goes to Beckwith's Valley, the distance of seventy or seventy-five miles. This portion of the road is better than that lying between the American Valley and Bidwell, but will need much improvement.

The other route leaving Marysville is about as follows: To Gibsonville, a distance of sixty-two or sixty-three miles, the road is now traveled with stages. This would not need any work to make a good wagon road; at least, no more than the counties through which it passes could afford to do to make it good. Along this portion of the route there is plenty of water. From Gibsonville this way, for fifteen miles, there is no grass, the country being covered with mountain chaparral. At Gibsonville, grass sufficient can be obtained. From Gibsonville to Jameson Creek at "76," a distance of fifteen miles, the road passes over high, stony, chaparral ridges, nearly destitute of food for animals. This portion will require an outlay of from \$10,000 to \$15,000 to make it good. From "76" to the Mohawk Ranch, a distance of twelve miles, the road is now good. From the Mohawk Ranch to Beckwith Valley, a distance of twelve miles, the road is tolerable good,—will need some work. From Beckwith Valley to the Humboldt, a distance of about eighty miles, it is said a good road can be made at a moderate expense. The information as to this part of the route is not very satisfactory. The writer of this came up the Truckee in 1849, and found it anything but a good road, having crossed that stream twenty-seven times in about twenty-seven miles. It is said, however, that by new routes, crossing the stream so often can be avoided—that it will only be crossed from three to seven times. We suspect that this portion of the route will need a great deal of labor to make it a good wagon road. The whole distance from Marysville to the Humboldt is two hundred miles, more or less.

The next route is the one up the South Fork of the American River, through Johnson's Cut-Off and Hope Valley into Carson Valley.

From Sacramento, by this route, the distance is one hundred and ten miles. From Sacramento to Placerville, some fifty miles, there is now a good road, over which stages pass daily, making the trip in five or six hours. From Placerville, sixteen miles, the road is good, and needs but little work. From this place along the banks of the South Fork to Slippery Ford, a distance of twenty-five miles, the road will need considerable work, owing to points or ledges of rock running in close to the river. From Slippery Ford to the summit of the Sierra, is only six miles and two hundred yards, by actual measurement. At Slippery Ford there is quite an obstacle in the shape of a rocky hill; it can be avoided, however, by keeping up the South Fork, which will need bridging. There being

fine water power and excellent timber on the spot, the bridging can be done comparatively cheap. The ascent from Slippery Ford to the summit is most beautiful and gradual. The summit is 8,300 feet above the sea. From the summit to Lake Bigler Valley is some three miles, and by side-hill grading can be made a good road for wagons and stages. Here, however, is the greatest difficulty on this route. Lake Bigler Valley is 7,150 feet above the level of the sea, leaving the difference between the valley and the summit of the Sierra of 1,150 feet, which has to be descended in three miles, making a grade of some three hundred and eighty feet to the mile. From the eastern foot of the Sierra, the road turns south-easterly across the southern part of Lake Valley into Hope Valley, a distance of five miles. Hope Valley is 7,540 feet above the sea. From the eastern foot of the Sierra to the eastern part of Hope Valley the road is good. From Hope Valley through the cañon to Cary's Mill, is six miles. Cary's Mill is 6,240 feet above the sea, making the fall in six miles, 1,300 feet. The cañon has been worked some, but needs much more. The work is of that character which is easily to be accomplished. The people of Carson Valley would do this, it is said, without charge to the State of California. The total distance by measurement from Placerville, in El Dorado County, to Carson Valley, is fifty-nine and a half miles,—seven miles only of which is covered with snow so as to hinder traveling. This route passes through a very beautiful and picturesque country, well watered and timbered.

Lake Bigler is a beautiful sheet of water, from eight to twelve miles wide and about forty long, lying about 7,500 feet above the sea, between two lofty ranges of the Sierra. The valley surrounding it is traversed by many lovely streams, and in the summer is covered with an exuberant growth of grass. Carson Valley is from ten to fifteen miles wide and from thirty-five to forty miles long, and is now settled by farmers, millers and miners. The soil is rich, and well adapted to the production of grains, grass, etc. Water for irrigation and milling, is abundant. This bids fair to be a thickly settled country, and must necessarily have communication with our State. We have described this route more particularly than any other, for the reason, our information has been greater and more reliable.

The advantages of this route, are—

First. It is a central one.

Second. It is much the shortest route to the Sacramento and San Joaquin valleys.

Third. The greater part of the way can now be traveled and needs but little work.

Fourth. The snow is bad, only for about seven miles.

Fifth. It connects us with the Carson Valley, a valley which will soon be densely settled, and will be the Half-Way House from the Great Salt Lake country.

Sixth. Because by recent explorations, it is found by continuing this route, a good wagon road can be made, with but little labor, north of the Great Salt Lake to the Mormon settlements, one hundred and fifty miles nearer than any now traveled, making the total distance from Sacramento City to Salt Lake, not more than five hundred and fifty miles.

The estimated cost of this route, is from \$30,000 to \$75,000.

Reference is made to the report of Mr. Henderson, County Surveyor of El Dorado Co., marked "Exhibit A." and hereto attached.

There is also another central route, to which our attention has been called; leaving Sacramento and passing by Diamond Springs, El Dorado County, through

Sly Park, on or near the old Carson Route, through the cañon into Carson Valley.

This route has been lately explored by Major Case and others, who represent it as being an excellent one for a wagon road. Others say that it is the old Carson Route, and that it can never be made as good a road as the one through Johnson's Cut-Off.

By this route, from Diamond Springs to Carson Valley, the distance is sixty-seven and a half miles according to the calculations of Major Case; which distance may be shortened some eight or ten miles, by cut-offs.

Upon careful examination it may be found, that the route on or near the old Carson Road, by Diamond Springs through Sly Park, is the best route we have named, as Major Case says that the road from Diamond Springs to Carson Valley, can be shortened to fifty-five and a half miles, and that but twenty-five miles will require work. The Committee have no estimate of the cost of this route.

See Major Case's report marked "Exhibit B."

The fifth route is the southern route, leaving Salt Lake and running south through the southern settlements of the Mormons, along the route of the proposed Military Road of the General Government, to the eastern boundary of this State; thence through the Cajon Pass and San Bernardino, to Los Angeles; thence, up the Coast Road to the central portion of the State, or from Los Angeles through the Tejon Pass, through the Kern River country, by the Sink of White River, across Tule River into the King's River and Four Creeks' District; thence down the San Joaquin to Stockton.

This route passes through some most beautiful and fertile country, on the Four Creeks and King's River, the whole of which is public land and is a most excellent place for settlers. The soil is well adapted to grains of all kinds and grass, and is also well suited for stock raising. Water and timber are abundant. In order to understand this route more definitely, we propose to describe it in three sections, commencing at Stockton.

From Stockton to the Tejon Pass, a distance of two hundred and ninety miles, the road crosses many streams and passes over a lovely country, known as before said, as the Four Creek Valley. This section of the road will cost from \$10,000 to \$12,000. The Tejon Pass is about 4,000 feet above the sea and about 2,000 feet above the Tulare Valley. The grade is said to be very easy, indeed a good road now exists over it. From Tejon Pass to Los Angeles, is ninety miles; from Los Angeles to the town of San Bernardino, is fifty-six miles. This section will need some considerable work in the mountains near the Tejon Pass. The Los Angeles people have already spent about \$6,000 on this road. It is said that \$6,000 or \$8,000 more, would make a good wagon road of it. Along it, water and grass are abundant and the soil good. From Los Angeles to San Bernardino, there is now an excellent road. From San Bernardino to the eastern boundary of the State, the distance is about two hundred and fifty miles, and forms the third section.

The Cajon Pass is some twelve miles from San Bernardino. This pass will need much work and an outlay of \$20,000 more or less. The distance through the Cajon Pass is some twelve miles; once through it, you are in the Great Salt Lake Basin with a good road to Salt Lake City. There are two *jornadas* on this route, each about fifty miles long. Wells would have to be dug and watering places fixed, or the immigration would suffer intensely. Grass is scarce in many places. The great advantages of this route are—

First. There are no high and abrupt mountains to pass; and,

Second. The snow is no impediment, consequently it can be traveled at all seasons of the year.

The great objection to it is, that it is too circuitous and nearly, if not quite, as far again to the central portions of the State, as the route by Carson Valley to the Sacramento Valley.

The distance from Salt Lake *via* Los Angeles, Tejon and King's River to Stockton is about 1,100 miles.

Your Committee would say, that from all the information in their possession, and from a careful consideration of the advantages and disadvantages of all the routes, they feel constrained to recommend the location and construction of the road upon the central route, through Johnson's Cut-Off.

Your Committee would further say, that they have not been able to procure anything like a definite estimate of the cost of such a road. That the estimates which those who have traveled over these various routes are, as we have before stated, from \$30,000 to \$75,000. That the cost can only be ascertained by actual survey and calculation.

Your Committee would further report, that they have made many alterations and changes in the bill introduced by Mr. Farwell. That they have attempted to simplify the same, and to require, if possible, the construction of the proposed road in time to relieve the immigration of the present season; and having so amended said bill, they report the same back and recommend its passage.

C. T. RYLAND,

Chairman of Committee on Internal Improvements.

[EXHIBIT A.]

PLACERVILLE CITY, }
February 23, 1855. }

Dear Sir :

Yours of the 13th of November last, requesting me to give you some information concerning a pass through the Sierra Nevada, in this county, has been received. At that time I had never crossed the Sierra within the limits of this county, and not being in possession of any reliable information on that subject, I thought it improper to say anything on the subject at that time.

Since that, I have been called upon by the citizens of this place to examine for a road route from this to Carson Valley ; and, accordingly, on the 31st of January last, with the necessary outfit, I left for the aforesaid purpose, and arrived at the Mountain Ranch, a distance of thirteen miles, near sundown. Between Placerville and this place, there is a good wagon road at present. After leaving the Mountain Ranch a quarter of a mile, we leave the old road and turn to the left to avoid a hill ; we then descend, intersecting Johnson's road, sixteen miles ; then keeping along the same about three-quarters of a mile, where it turns short to the left to cross the bridge, but we keep straight forward, on a beautiful flat, and continuing on good ground for a road, until we arrive at eighteen and a quarter miles, then turning to the right, up a cañon, and on a ledge of rocks, and at nineteen miles, cross the river ; (from the point that we leave Johnson's Road to this is nearly level.) Crossing the river here, we land on good ground for a road, and for near half a mile will require but little more to make a good road than to clear away the timber. There are, however, occasionally a rock bluff to encounter. We cross the river at the aforesaid point for three reasons ; first, we need not descend from the time we leave Johnson's Road. Second, to avoid snow on the south side of the river. Third, to have the advantage of several flats or benches that present themselves.

At twenty-eight miles we passed what is called the foot of Peavine Hill. At twenty-nine and a half miles pass Sugarloaf Rock. At thirty-three and a half miles pass Cottage Rock. At forty-one miles arrive at Slippery Ford on Saturday evening, the 3d instant.

Thus far a good road may be had by excavating rock in spots along the line.

Leaving Slippery Ford and running up and on the north side of the South Fork there will be rock to contend with for half a mile, then gradually ascending at about three and a quarter degrees through a beautiful timbered flat, to the distance of seven and a half miles from Slippery Ford to the summit.

In going out, we went the present trail, and arrived at the summit at a distance of six miles and sixteen chains from the aforesaid ford, then descended the old trail into Lake Valley.

This pass is 8,308 feet above the sea, and the valley at this point is 7,150 feet above the sea. The axes of this valley is nearly north and south. From this we bore in a north-easterly direction along the old trail for the distance of eleven

miles. Here we halted for refreshments, and while the cook was preparing a lunch, Messrs. Taylor, Silman and myself, went in a west by north direction for near half a mile, when we found ourselves on the east bank of Lake Bigler. This lake at this point is eighty-six miles wide east and west, and said to be fifty miles north and south.

After refreshments, we proceeded on our journey, by leaving the wagon road at this point, and running north seventy-five degrees, and east up a mule trail three miles and twenty-six chains brought us to the east summit in the pass 8,320 feet above the sea.

Thence south sixty-four degrees, east three miles and four chains brought us to Dr. Daggett's, at the foot of the mountain, and on the west side of Carson Valley, making the whole distance from Placerville to this place sixty-five and three-eighths miles.

The valley at this point is 5,200 feet above the sea.

Coming down this last mountain, we are obliged to descend over one thousand feet per mile. I therefore consider this last part of the route impracticable.

This is a beautiful valley, and is said to be fifteen miles wide at this point. The Mormon station is about two miles north of this. We then proceeded up the valley to Mr. Cary's mill, a distance of fourteen miles.

In passing along the western border of this beautiful valley, almost every quarter of a mile we were delighted by crossing a beautiful cool crystal stream of water, descending from the white-capped mountain peaks, to irrigate the fields below.

Mr. Cary's house, near the upper end of Carson Valley, is one mile below what is called the mouth of the cañon, is 6,240 feet above the sea. Then beginning at the bridge called the mouth of the cañon, and running up the cañon five miles, brought us into Hope Valley.

This valley is 7,540 feet above the sea. From Carson Valley to this, the road need not have an elevation of over three degrees at any place. Leaving Hope Valley, we turn north sixty-five degrees west, gradually ascending the hill with five degrees elevation to gain the pass between Hope and Lake valleys; at six miles and forty-six chains reached the pass, 8,240 feet above the sea.

Then descending gently over ground that will require but little more labor to make a good road than to clear the timber, into Lake Valley, which we reached at ten miles.

In leaving Lake Valley the west ridge may be ascended in two miles, with an elevation of six and a quarter degrees. Twelve miles brought us on to the west summit; at thirteen miles and seven chains reached the old trail at a point forty-six and a half miles from Placerville to the mouth of the cañon at the head of Carson Valley fifty-nine and a half miles and seven chains.

While on the above trip, I took observations every night, and sometimes at noon for latitude; many of them taken amid wind and clouds. The instrument used was a theodolite, so that great accuracy cannot be expected.

Having no barometer, I was lucky in obtaining a large thermometer, and with it by the boiling point of water, obtained the above hights.

The longitude laid down on this map is Eddy's.

There are other passes through the Sierra suggested to me, one some four or five miles south of the one we came through, and another five or six miles north, which I think it would be well to examine before a final location is made.

I am inclined to believe the route here laid down, is the most direct that can be got, and that it will be the least liable to be shut with snow, of any other for many miles south.

In those passes or summits that we went over, the snow was about one foot and a half deep, and the first thirty-six miles the ground was entirely bare.

The reason I recommend an examination of those other passes is, that from the time we reach the river, there are occasional bluffs of rock to encounter which might be less on some of the other routes.

I am, Sir,

Your most obedient servant,

WM. HENDERSON,
County Surveyor El Dorado County.

[EXHIBIT B.]

MEMORANDA OF OBSERVATIONS ON ROUTE FOR WAGON ROAD FROM SACRAMENTO TO CARSON VALLEY, FEB. 16 TO FEB. 23, 1855.

The road from Sacramento to Diamond Springs, being well known, needs no description—distance fifty miles.

Diamond Springs to Graham & Slaughter's Ranch, in Pleasant Valley—distance nine and a quarter miles; road in good condition for staging, and of a level character. Some good grades have been made where hills were of much natural acclivity. This road passes through a valley well settled and in good cultivation. Several ditches for supplying miners with water pass through this valley. Graham & Slaughter have a fine large rancho, and raise large quantities of grain and fodder. There is a good public house at this point.

Graham & Slaughter's Ranch to Sly Park—distance six and a quarter miles. The road still continues good, and much mining is done for a distance of about four miles. Country well watered, and plenty of timber and wood; one and a half miles leave Clear Creek, which comes down from north-east, we turn east up through Dry Creek for a short distance. The road has been graded round a long hill, which makes it easy of ascent, the increased altitude in the advance being so gradual that one hardly perceives he is really rising thirty feet to the mile, especially through those portions which have been worked. From a point three miles from Graham's a very material improvement can be made by a cut-off which will avoid an ascent and descent of one hundred feet, while it shortens the distance from the point named. The road is the natural one; and I will here remark that all roads leading into California have been made upon this principle. A train must follow a flat route instead of a sideling one; in descending a ridge, to do so at right angles, instead of risking upsets by a gradual or side-hill slope. We here see the last mining on this route; the country assumes more the mountain peculiarities—pines more frequent, some firs, less oak. We reach Sly Park by an easy descent, and come upon one of the finest mountain valleys imaginable, entirely surrounded by high ridges, except the entrance, and exit openings of the Sly Park Creek, which runs upon the southern side of the valley or park. This park is a perfect level of about one hundred acres of fine land. Large pines

are growing upon it, which give it the appearance of an old sit-place, but much more beautiful than art could have made it. The creek is filled with trout of most delicious flavor, and of which we had a taste. This will eventually become one of the places of summer retreat in California.

From Sly Park to Iron Mountain the distance by road is nine and a half miles.

Leaving Sly Park we cross the creek, and by a road made by the proprietor, Mr. Stonebreaker, we wind around a hill known as Stonebreaker's Hill, rising at an average grade of say one to eight and a half feet for one mile—then up a gentle trotting ascent we pass on through a finely-timbered country towards Iron Mountain. This Stonebreaker's Hill is the western terminus of a sierra, or ridge, of the grand chain of the Sierra Nevadas. It is a high ridge crowning upon the top, and in general feature resembling the back of a fat hog. The road, after leaving the graded part, is one and a half miles from Sly Point, running along the spine. This back varies in width from one hundred feet to one hundred yards, and even sometimes more, and exhibiting the most splendid growth of timber. This is a natural road-way, and in its approach to the main ridge, is steadily and almost imperceptibly to the traveler attaining an increase of altitude of nearly one hundred feet to the mile. Some four miles from Sly Park we see the old Camp Creek turn-off, where a diversion is made to the right for a circuit of two and a half miles to the camping and watering ground of Camp Creek. Coming in again some one and a half miles ahead, one mile before we reach Iron Mountain, we stop at one of the finest springs, containing any quantity of clear, pure, cold water.

At Iron Mountain the old Carson River route comes in over a divide running nearly south, and up a pitch of one to four feet for one hundred yards. This old and well-known spot, formed of lava rock, once rough, has by use become so smooth as to be almost impassable for even a sharp-shod mule without a load. From this point the most beautiful and magnificent mountain views are presented at the north. The long array of snow and rocky peaks stand out in line extending north-eastwardly as far as the eye can reach, and so westwardly to the junction of this ridge with the grand Sierra, near Silver Lake, distant nearly twenty miles.

From Iron Mountain to Alder Springs, distant eight and a half miles, the grade still continues easy, and the appearance of the country the same, with rather more firs. We have now on our right hand the head-waters of the Coconines—on the left the head-waters of the South Fork of the American River.

From Alder Springs to Leek Springs, two miles. Alder Springs is at the foot of Alder Hill. This hill commences with an ascent of about one to five feet, and drops away in a mile from one to eight—then a quarter of a mile nearly level—then descends from one to ten to Leek Springs. This is now the hardest part of the road, but a cut-off a short distance below the foot of Alder Hill, as is proposed, to the foot of Silver Lake, will avoid all this, and materially shorten the distance.

From Leek Springs to Independence Flat, three and a half miles; Volcano Fork two and a half, and Tragedy Springs four miles. At Leek Springs the Grizzly Flat trail comes in through the valley, which extends southerly from the road, near to which are the Springs. This is a good camping-ground, and in the immigration season must be an excellent place to camp; but at this season it is rather cool, requiring frequent additions of fuel to the camp-fire, and some shaking, to keep warm, as some of our party can affirm. The thermometer at sundown, eighteen degrees—at sunrise, ten degrees. The springs were entirely buried in snow, and some "last immigrant" had, in a spirit of wantonness, burned down the only shanty on the spot, and we had to sleep on the snow. From this place to Independence Flat the road is ascending and still hard, one and a half miles

to a turn to the northward of the ridge we have followed from Sly Park—the road still keeping the spine and on to Independence Flat. All that can be said of this flat is that the back is a little broader here than above. Still on two and a half miles we find the Volcano Road branching off more southerly than the Grizzly Flat, or main road; thence two miles to a turn up a rocky hill—then bending still more, descending, we reach Tragedy Springs in two miles. The country now all around has a rough mountain character.

Nearly north-east from Tragedy Springs is the Silver Lake, with the valley extending southwardly, and the old road goes round the south end of the valley, and, by a circuitous route, reaches the point of crossing in twelve miles; but Messrs. Ruse & Barnard made a cut-off around the northwardly end, below the lake, and reach the same point on the summit in seven and a half miles. This lake is the head-water of the South Fork of the American River. Here is plenty of water, and a trading-post in summer. From the summit, (the eastern,) which is a rocky hill and will require much labor to make easy, two and a half miles brings to Clear Lake, sometimes called Big Red.

A near route is described through a cañon or ravine a little north of the summit from Silver Lake, which might be bridged, or have rocks removed so as to form an easier passage for wagons.

Big Red, or Clear Lake, is situated between the two sierras, or summits, western and eastern; from it to the eastern summit, three miles, not very hard; thence easy descent three-quarters of a mile to Little Red Lake, in Hope Valley; thence four miles, through Hope Valley, to the entrance to the cañon leading into Carson Valley, four miles; thence twelve miles to Mormon Station.

The theory of this proposed route is one grand central route, into which the Volcano and Grizzly Flat roads on the south, and the Placerville and Georgetown roads on the north, naturally fall, before we come to that point where the largest amount of expenditure is required to form a good wagon road, thus giving them the benefit of the greater part of the outlay upon the main trunk of the road, which will enable the State to also aid the roads to the extreme north and south portions of the State.

The cut-off from near Alder Hill has been mentioned. This is one of the most important. Others, of less importance, may also be easily made, making, in the aggregate, say twelve miles to be deducted from the distance to Carson Valley.

Thus, from Diamond Springs, by the present Sly Park route, sixty-seven and a half miles, from which deducting twelve, we have only fifty-five and a half miles, and only about twenty-five miles which require more than a trifling expense.

The party making these observations consisted of Major Case, F. Tukey, Esq., C. G. Scott, Major Graham and W. Stonebreaker, by whom the matter is respectfully submitted, in the hope that the importance of so central a route will not be overlooked.

[EXHIBIT C.]

SACRAMENTO,
January 20, 1855. }

Sir :

In responding to your several inquiries, relative to the geographical character of the section of country lying between the Sacramento and Humboldt rivers, as situated between the parallels of 40 and 41° north latitude, and the practicability of constructing a National Railroad through that district, the following statements are a summary narrative of my views, as deduced from personal observations through that region, in the summer of 1850.

There are four distinct ranges of mountains embraced within the above limits.

The first is the Sacramento Mountains, which form the eastern boundary of the Sacramento Valley north of the Three Buttes, as far as that valley extends.

The second, is the Pitt River Mountains, commencing immediately east of Grizzly Valley, in about latitude 40° 15' north, and longitude 120° 25' west, and extends north-westerly to a point where they intersect a ridge running east, and west in latitude 41° 35' north, and directly south of Rhett Lake.

The third is the Sierra Nevada, which crosses the above district in longitude 120° west, ranging in line with the eastern boundary of California, and varying but little from a due north and south course.

The fourth is the Pillars of Atlas, which lie in the interior basin, along the western border of the Pyramid, and Low Mud Lakes, and the Boiling Spring Valley; and ranges in a north north-east course to their terminus, near the mouth of the High Rock Cañon in about latitude 41° north.

The North Fork of Feather River does not take its rise in the Sierra Nevada (as is generally supposed) but on the east flank of the Sacramento Range.

This ridge commences near Pitt River, in latitude 41° north, and thence bearing in a south by east course, and parallel with the Sacramento River, extends about one hundred miles to its terminus at the Table Mountain, near Ophir. The summit of this ridge is some 35 or 40 miles distant from the Sacramento River. The western slope is broken into lateral ridges ranging west; at nearly right angles with the main ridge, and through the ravines between them, flow the several little streams, known as Rapid, Colo, Cloves, Butte, Antelope, Pine, Dry, Deer, Chico and Butte creeks. These streams issue forth from deep and impassable cañons, their foaming waters roaring loudly, as they rush impetuously through the rocky avenues that bind them. The surface of the ridges is rocky and barren, sparingly studded with dwarf oak and manzanita bushes, excepting in the higher altitudes, where the pine and cedar flourish.

This region, commonly known as the Rocky Desert, presents a dreary and uninviting appearance to the traveler, who will never forget the power of the sun's direct and reflected rays, while passing over them in midsummer.

The character of the eastern side of the Sacramento Mountains, is very different from that of the western—with the exception that it furnishes a correspond-

ing number of little creeks flowing eastward into the valley of the North Fork of Feather River; their several conjunctions, in combination with a few small streams issuing from the Iron Hills, form the principal constituents of that river. The declivities of this side of the mountain are more precipitous, and are densely covered with forests of pine and cedar, and the different varieties of evergreens. The temperature of the atmosphere is many degrees colder, in the same season, and at equal altitudes, than that of the west side.

The more elevated peaks in many places, on this side, and north of the west branch of the North Fork, are covered with snow during the greater part of the year; advancing northward, the snow increases in quantity, and the mountains in altitude, until they abruptly terminate at Sasseus Butte. This is the fountain head, from whence innumerable little streams descend, bounding wildly over the craggy precipices, rushing and roaring down through deep ravines, till they reach the romantic vales below, where they meander and play midst the wild bowers of grapevine and willow, intermingle together and form the North Fork of the Feather River.

The Iron Hills embraces a tract of country that lies between the Sacramento Mountains and the Pitt River Range, and extends from the east branch of the North Fork of the Feather River northward as far as Pitt River, and forms the dividing ridge between those two streams; but from the broken character of the country, no definite line can be drawn, until the culminating points are ascertained by actual surveys.

This region constitutes a series of hills and valleys, with but little variation in their height, and heavily timbered. The soil is of an argillaceous composition, mixed with disintegrated quartz, and strongly impregnated with red oxide of iron. In various places intervening the hills, are extensive flats of alluvium, their surface richly carpeted with grass and clover, and in many places an abundance of wild strawberries. Also embosomed among them are several small lakes.

The east branch of the North Fork receives most of its waters from these hills, and is the only stream of importance that empties into that fork from the east side.

The Pitt River Mountains are a low ridge of igneous origin, presenting a black and rugged appearance. The main body of them lies about midway between the Sierra Nevada and Sacramento Ranges, crossing the country obliquely. Their summits are destitute of snow throughout the summer months. The Pitt River forces a passage through this ridge at the Nine-Mile Gap, and thence gliding along by the northern base of Camp Hill, crosses the Pitt River Valley through the Great Meadows, and enters the Iron Hills at the point where the Lassen trail leaves that river. Camp Hill is an isolated mount, in the open plain, a few miles south-west from the Nine-Mile Gap. The distance from this gap to the Sierra Nevada is about fifty miles, and the country between it and the South Fork of Pitt River is mostly a level plain, of a sandy character, and entirely destitute of timber. In the southern portion of the Pitt River range, in about Latitude $40^{\circ} 30'$ North, is the passage known as the Black Butte, or Noble's Pass, which was discovered by Captain Hough and party, early in the spring of 1851, while on a prospecting tour from Indian Valley. Immediately to the south of this pass rises the Black Butte, which is the southern continuation of the Pitt River Mountains; and between this southern division and the Sierra Nevada lies Honey Lake Valley.

By some unaccountable mistake in the compiling of Eddy's Official Map of California, the above range of mountains have been confounded with the Sierra Nevada, while the continuation of the real Sierra Nevada from Lassen's Pass southward is cut off, and their true geographical position left blank. Nothing can appear more ridiculous than the idea of Pitt River having its source east of

the Sierra Nevada, in the Interior Basin, and thence running eastward through that range of mountains, as there exhibited.

Honey Lake Valley is about twenty-five miles broad, and bounded on the east by the Sierra Nevada, on the west by the Pitt River range, and on the north by a spur of the Sierra Nevada that branches off immediately to the north of the passage through that range known as Fredouyer's Pass, and thence bears westward till it comes in contact with the Pitt River range, immediately to the north of Noble's Pass at the Black Butte. This spur forms the dividing ridge which separates the waters that flow north into Pitt River, east of the Pitt River Mountains, from those that flow south into Honey Lake Valley, and forms an almost impassable barrier along the northern borders of that valley. About twenty miles north of this spur, and high up on the west flank of the Sierra Nevada, inclosed in a little valley, lies Snow Water Lake. A few miles to the west of this lake is Castle Bluffs, bordering the valley of the South Fork of Pitt River, above the Great Bend. This valley varies from one to three miles in width.

The South Fork takes its rise in the Sierra Nevada, at the north side of the spur above alluded to, and runs northward along the western base of the Sierra Nevada till it reaches the Castle Bluffs, where it turns west, forming the Great Bend, and thence north, to its junction with the North Fork of that river.

Honey Lake Valley is one of the most romantic and beautiful in the world. The surrounding flanks of the mountains are densely covered with forests of pine, and its bottoms luxuriantly coated with grass and clover. On the west side of the valley, at the extreme base of the Pitt River Mountains, lies Honey Lake,—its green banks decorated by no monuments of art, and its placid waters ruffled by naught but the elements.

A few miles north-west of the Lake is the Black Butte Pass, from the summit of which there is a direct and nearly level route northward along the western base of the Pitt River Mountains to their terminus, and thence to the Umpqua Valley in Oregon.

At the north-east corner of Honey Lake Valley, is the Great Pass through the Sierra Nevada, in about Latitude $40^{\circ} 35'$ North. This passage, when viewed from the summit of the mountain spur bordering the north side of the valley, presents a grand and sublime appearance, the peaks to the north and south sides of the pass, elevated many thousand feet and covered with perpetual snow, dazzle in the sunbeams, forming a beautiful contrast with the green shade that over-spreads the surrounding localities.

In beholding this region, the mind is overwhelmed with awe in contemplating the power of God, as displayed in the stupendous magnitude of this rupture where Nature, in her terrific convulsions, has cleaved the mountain asunder, making the high places low and the crooked straight, whereby her children may pass through in safety.

This pass is about twelve miles long, and nearly as broad as the south pass, through the Rocky Mountains, but much deeper depression; the ascent, to its culminating point, is very gradual, the grade over the steepest places not exceeding one hundred feet, and the average not over seventy feet to the mile.

The mountain sides adjoining the pass are heavily timbered, especially on the western declivities, and present a formidable barrier to a passage over them, either to the north or south.

Immediately to the east of the pass lies McNamey Valley, which is about sixty miles long, extending from the Sierra Nevada to the Pillars of Atlas.

A succession of low ridges that slope into this valley from the north and south sides, causes a variation in its width from ten to twenty miles.

The McNamey River, a small stream flowing through this valley derives its source from the eastern flanks of the Sierra Nevada, and as it winds its way

eastward to Mud Lake, the volume of its water is augmented by several little streams issuing from between the adjoining ridges above alluded to.

These ridges are of a rocky and barren character, entirely destitute of timber, and their borders only covered with a few stunted sage brushes ; the soil is sandy, and the general aspect of the country is sterile and parched with heat ; but the bottoms along the margin of the river are abundantly coated with grass, and show excellent signs of periodical floodings. To the north of the dividing ridge at the head of the Snow Creek Valley, and close by the eastern base of the Sierra Nevada, lies Holloway Lake, confined in a deep valley, about seven miles broad, and bounded on the east side by the Palisade Rocks, which form a perpendicular precipice for several miles, and varies from fifty to one hundred feet in height, their upper surface spreading out in a horizontal strata, covered with a thin layer of soil, which is baked hard and destitute of vegetation. Holloway Lake is about six miles broad and from fifteen to twenty miles in length, and is fed by several little streams formed by melted snow on the Sierra Nevada, the two principal of which descend, one from the middle gap and the other opposite the southern extremity of the Lake.

Between the lake and the southern end of the valley that confines it are extensive flats covered with a white alkaline incrustation several inches thick, with here and there clusters of wild sage and geesewood bushes. On the west side rises the Sierra Nevada, with its broad flank, broken by successive ridges of granite protruding through a superimposed strata of trappean rocks. The shelves in many places between the protrusions have a gradual slope, and all covered with an alluvial deposit of sufficient thickness to support a vigorous growth of timber.

The Pillars of Atlas, the fourth range of mountains before spoken of, are of volcanic origin, rugged in their appearance, and entirely destitute of timber.

At a point near the north end of Lower Mud Lake, and opposite the Great Boiling Spring, the continuity of the ridge is broken, forming one of the grandest ruptures in Nature. One side of the cleft rises to the giddy height of a thousand feet, with nearly a perpendicular declivity, while the other inclines off in gradual retiring strata to nearly double that distance. The bottoms through that gorge are on a level with the adjoining plain, and affords a free passage for the McNamey Creek through into Mud Lake. About twelve miles north of this point, and a little west of the Pillars of Atlas, is situated Mount Observation, which rises to an elevation of three thousand feet above the plains of the Interior Basin, and is of a conical shape, and perfectly barren.

The physical character of the surrounding localities, when viewed from the summit of this mountain, presents a dark and uneven surface, composed of several basaltic ridges, ranging from north to south, where they slope off into the McNamey Valley. These ridges are broken by deep and yawning chasms. The surface in some places above their brinks spreads out in inclined plains, covered with fragments of lava so completely imbedded as to form a solid pavement. In other places it rises up to inaccessible pinnacles, evidently elevated in a state of fusion. In fact, so plainly are the effects of volcanic action exhibited throughout these localities, that they forcibly impress the mind that the doors of the infernal regions have here been but recently closed, while a dead silence seems to brood over the whole district, presenting a scene of gloom and desolation scarcely ever equaled.

Directing the view beyond this burnt district to the west, the gigantic Sierra Nevada is seen ranging north and south, with its snow-capped summits rising in majestic grandeur as far as the vision extends. Lassen's Pass in a north-west, and the Great Pass in a west south-west direction, are distinctly seen—likewise the Middle Gap between Snow Water and Holloway lakes, about sixty-five miles distant from this point.

On the north-west side of Mount Observation lies Crater Valley, which is the aperture of an extinct volcano of an oval shape, and about five hundred yards in diameter. At the south-west side of the crater is situated Ladder Cañon, which is utterly impassable. Beyond a rocky defile at the north side of the mount rises a high ridge of basaltic cliffs, presenting a bold and precipitous front to the eastward. At the foot of these cliffs lies Cañon Valley, bounded on the east side by the Pillars of Atlas, and extending in a north-west course about eighteen miles to the termination of that ridge. A few miles from the head of the valley is the Augitie Causeway. This is a volcanic fissure of about a mile and a half long, and from one to two hundred feet broad, each side forming a perpendicular wall fifteen feet high. The bottom between them has been filled up with drift to an unknown depth.

The valley above and below this causeway is entirely destitute of timber; the soil is sandy and covered with innumerable little pieces of obsidian of different colors. Near the northern end of the valley is situated the mouth of High Rock Cañon; this is a deep fissure passing through a tabular ridge of basalt and greenstone rocks, its width varying from twenty-five to fifty yards. The walls lining its sides are perpendicular, and several hundred feet in height. A small creek issues from the mouth and discharges into Cañon Lake, which is a small body of water that lies on the opposite side of the valley. The length of this cañon I am unable to give, having been in only a short distance. Immediately to the east of the north division of the Pillars of Atlas, lies Boiling Spring Valley, bounded on its east side by the Black Rock Ridge, and extending northward from the Boiling Spring to the Cañon Bluffs, at the north of Meadow Creek. This creek issues from the northern base of the Pillars of Atlas, and thence flows eastward through extensive meadows, till it empties into Upper Mud Lake, at the north extremity of the Black Rock Ridge.

The Great Boiling Spring is located at the southern extremity of this ridge, in latitude $40^{\circ} 40'$ north, and is about sixty miles distant from the west bend of the Humboldt River. The Lassen Trail passes by the spring, bearing in a north by east course up the valley, till it reaches Meadow Creek, where it makes a short deflection to the west, crossing a low divide to Cañon Valley, where it enters the High Rock Cañon, and thence passes northward.

East of the Black Rock Ridge, is Mud Lake Valley, which is a perfect desert, except where occupied by water; between this valley and the Humboldt River, the country is entirely barren, and traversed by two low ridges, ranging north and south.

On a line with the Lassen Trail, the continuity of each ridge is broken transversely, whereby an easy grade is formed, presenting no impediment to the passage of a good road over them.

The above described district, from the Humboldt to the Sacramento River, through the Great Pass in the Sierra Nevada, was explored by me, in company with McNamey and Capt. Holloway, in the months of June and July, 1850, when emigrating to California. But the difficulties we encountered with Indians and want of suitable instruments, prevented us from making, in every particular, accurate observations. Nevertheless, as I have been governed by the rule to speak only of what I have seen, the descriptions here given of the relative positions of mountains and rivers, with the other important features of that region, may be relied on as generally correct.

As to the practicability of constructing a railroad through the above passes, I have not a shadow of doubt, and the more I examine the evidence derived from authentic sources, setting forth the merits of other passes, the more I am convinced that the above pass is greatly superior to any yet found in the Sierra Nevada or any other range of mountains on the continent of North America.

The great forest south and west of the pass, would furnish an unlimited sup-

ply of timber, even for a dozen railroads, while the fertility of the soil and the immense treasure concealed within the bosom of its placers, presents an extensive and inviting field to the industrious farmer and miner.

It is a well-known fact, to parties acquainted with the mountains, that there are many little valleys among them which are green with verdure, and wearing the smiles of perpetual spring while the adjoining mountains are covered with snow. Such, likewise, is the predominant feature of the valleys surrounding the Great Pass, and by reason of the low altitude of those valleys, and the manner in which they link together, snow will never form an obstacle to a passage through them.

The location of the Atlantic and Pacific Railroad is of vital importance to the American people,—especially those inhabiting Oregon and California, who expect to be mutually benefitted by its construction,—and this much desired object can only be accomplished by its introduction through a mediate passage to the Pacific Coast.

To this end, the above pass is admirably adapted : it being about equi-distant from the northern boundary of Washington Territory and the southern boundary of California, thus occupies a central position, which renders it equally accessible to the inhabitants of both districts ; and would, if chosen for the purpose aforementioned, avoid the necessity of bestowing partiality to one section, at the sacrifice of the other,—a circumstance that would certainly follow the selection of a more northern or southern route.

It is plain to any discerning mind, that a railroad crossing the continent by the northern borders of Nebraska and Washington Territories to the Pacific Coast, would be of little or no benefit to the inhabitants of California ; and, *vice versa*, a railroad crossing the southern borders of New Mexico to California, would confer no benefits to the inhabitants of Oregon or Washington Territories—especially those living in the interior parts ;—for the distance they would have to travel to reach the depot, is nearly equal to that direct to its terminus at the Missouri River.

This fact demonstrates the necessity of a central route, that parties both to the north and south may participate equally in its benefits ; and not only to them is it essential, but also to the parties owning the railroad : for, as from the branches of a tree the fruit is plucked, so likewise from the branches of the road the principal profits would be derived. Wherefore, then, establish a road to the extreme north, or south, where one side of the track is nearly all foreign ground, over which no branch can be laid ? And even if there was, it would be useless ;—as those regions are barren, and inhabited by the most hostile Indians in North America.

In locating a National Railroad, no sectional or speculative motive should be entertained ; but the great and all-absorbing object should be, to benefit the whole, and advance the common interest of an enlightened people.

To accomplish this grand object, the road should pass through the center of our dominions, by the most practicable route, and embrace the greatest range of usefulness possible.

A railroad commencing at any suitable point, near the Missouri River, and following the Platte River, and Sweetwater Valleys, to the South Pass, in the Rocky Mountains ; thence, by a descent, to the Bear River Valley, or otherwise following the elevated plateau, between Lewis River and Salt Lake Valley, till it reaches nearly to the Castle Rocks ; thence, by a southern deflection, and through the Thousand Spring Valley to the Humboldt River, down the valley of which, it would traverse to the west bend ; by leaving the river at this point and continuing westward, the road would pass between the Upper and Lower Mud Lakes to the Boiling Spring Valley, and cross said valley opposite the Great Boiling Spring to the Pillars of Atlas ; thence, passing between the Pillars

it would enter McNamey Valley, up which it would continue in nearly a direct west course, to the Great Pass in the Sierra Nevada; thence, descending the western slope of said pass into Honey Lake Valley, crossing the same westward by the northern border of Honey Lake, to the eastern base of Pitt River Mountains; thence, crossing the summit of said mountains, by the northern base of the Black Butte, through Noble's Pass, it would then traverse over the Iron Hills in nearly a north-west course, to Lassen's Butte, and by following Captain Lyon's Trail around the north side of that Butte, would enter the Sacramento Valley at Battle Creek, without encountering through the whole route any more formidable obstacles than have been overcome in crossing the Alleghany Mountains by similar works.

The principal obstacles on the above line is met with at the South Pass and the northern spurs of Bear River, or Wah-Satch Mountains; the former, on account of its altitude and the snow, and the latter, on account of their ruggedness. But no fears need be entertained in regard to surmounting these obstacles as the ascent to the South Pass is so gradual, that a person would cross the summit without being aware of the act, were it not that the mountains north and south defined his position.

And all difficulties apprehended from heavy bodies of snow could easily be obviated—as at the summit of the pass, the only point where it would be likely to obstruct the road, would also be the point that would require excavating, in order to reduce it to a uniform grade: over the deep cut thus made, rough timbers can be cast, in the manner of rafters, put close together,—thus forming a substantial roof on which the snow could lodge, then the greater the quantity of snow, the better would be the shelter.

This method of making superficial tunnels could be followed at any point on the route where snow would be likely to form an impediment.

It is estimated that there is over 12,000 miles of railroads in the United States, at an aggregate cost of \$356,000,000. The length of the Atlantic and Pacific Railroad would be nearly one-seventh of all the railroads in the United States, and at the same ratio of cost, would amount to about \$50,000,000. But when we take in consideration the high price they had there to pay for land, the immense cost of timber, the great number of hills and dales required to be leveled, the many little streams that are bridged, and culverts made for the passage of common roads, we find that the ratio of their cost, exceeds that of the Atlantic and Pacific Railroad, which would lie mostly over extensive level plains, where the land is free, the timber free, but few streams to cross, and no culverts to be made for common roads to pass through.

It is estimated that the steepest grade of any railroad in the United States, is one hundred and sixteen feet to the mile; that of the Southwestern Tennessee is ninety feet to the mile, and the cars pass over it with perfect ease. The greatest amount of tunneling is on the Alexandria, London and Hampshire Road, in Virginia, being 19,536 feet, or over three and a-half miles. It is doubtful if there is any point on the Atlantic and Pacific route where the grade would exceed one hundred feet to the mile, and the aggregate amount of tunneling on the whole route, would probably exceed but little that of the one road abovementioned.

These facts show the possibility of establishing the railroad, and at a far less cost than heretofore estimated.

The line here indicated lies through the most interesting and valuable portion of Nebraska and Utah Territories, and is the only route yet designated which, throughout its entire length, with but few exceptions, offers inducements to settlers by being susceptible of agricultural development; while the temperate climate of the region through which it passes favors it greatly, when contrasted with the extreme cold of the more northern route, or the intense heat that pervades the extensive and terrible deserts lying further south.

These advantages, in connection with its central position, and its amplitude to subserve the great purposes designed in its construction, are plain and irrefutable facts of more weight than the wily arguments of speculators, or sectional advisers.

In the performance of so great a work as the formation of an Atlantic and Pacific Railroad, many unavoidable difficulties would have to be encountered on any route ; but the benefits to be derived from the road are equally great, both nationally and individually. Its establishment is identified with the progress of this Republic, and would be a lasting monument of the enterprise and energy of its inhabitants.

For these reasons, and in view of the great interest involved, the above statements are respectfully submitted to your serious consideration.

I have the honor to be,

Very Respectfully,

Your Ob't Servant,

A. FREDONYER

HON. S. H. MARLETTE,
Surveyor-General of California.

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